

# The Suffolk Coastal Local Plan

## Supplementary Planning Guidance



# 15



## Outdoor Playing Space

April 2001



**EASTSUFFOLK**  
COUNCIL

On 1<sup>st</sup> April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council. Therefore this document applies to the part of the East Suffolk Council area formerly covered by the Suffolk Coastal District until such time that it is replaced.



Following the reforms to the Planning system through the enactment of the Planning and Compulsory Purchase Act 2004 all Supplementary Planning Guidance's can only be kept for a maximum of three years. It is the District Council's intention to review each Supplementary Planning Guidance in this time and reproduce these publications as Supplementary Planning Documents which will support the policies to be found in the Local Development Framework which is to replace the existing Suffolk Coastal Local Plan First Alteration, February 2001.

Some Supplementary Planning Guidance dates back to the early 1990's and may no longer be appropriate as the site or issue may have been resolved so these documents will be phased out of the production and will not support the Local Development Framework. Those to be kept will be reviewed and republished in accordance with new guidelines for public consultation. A list of those to be kept can be found in the Suffolk Coastal Local Development Scheme December 2004.

Please be aware when reading this guidance that some of the Government organisations referred to no longer exist or do so under a different name. For example MAFF (Ministry for Agriculture, Fisheries and Food) is no longer in operation but all responsibilities and duties are now dealt with by DEFRA (Department for the Environment, Food and Rural Affairs). Another example may be the DETR (Department of Environment, Transport and Regions) whose responsibilities are now dealt with in part by the DCLG (Department of Communities & Local Government).

If you have any questions or concerns about the status of this Supplementary Planning Guidance please contact a member of the Local Plan team who will be able to assist you in the first instance.

We thank you for your patience and understanding as we feel it inappropriate to reproduce each document with the up to date Government organisations name as they change.



# **SUPPLEMENTARY PLANNING GUIDANCE**

## **OUTDOOR PLAYING SPACE**

### **FOREWORD**

The Suffolk Coastal Local Plan (incorporating the First Alteration) was statutorily adopted in February 2001. This publication is one of a series of Supplementary Planning Guidance documents which are being produced by the Council to explain in more detail the aims and objectives of the Local Plan policies and how they will be applied and implemented in practice. Their purpose is to assist those preparing planning applications and the Council in determining such applications.

In this case, this Supplementary Planning Guidance is published principally to

- define the mechanism by which new housing developments within the District make appropriate provision for outdoor playing space, sought as a direct result of meeting the needs of that development;
- establish a comprehensive long-term framework for the development of outdoor playing space provision throughout the District;
- highlight the importance of outdoor playing space to the wellbeing of individuals, and the District as a whole.

In preparing this Guidance the Council is aware of its obligation to act in compliance with the Human Rights Act 1998, particularly Article 1 of the First Protocol and Article 8 of the principal Human Rights.

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M:recreation/SPGAdopted and amended by Plg CommitteeVersion04

# 1 INTRODUCTION

*"Sport and recreation are important components of civilised life. Participation can help improve the individual's health and sense of well-being...."*

*Extract from para.2 PPG17 Sport and Recreation (1991).*

- 1.1 A consultation draft of the revised Planning Policy Guidance 17, renamed Sport, Open Space and Recreation, was published in March 2001. This sets out the Government's main planning objectives for sport and recreation which includes:
  - promoting more sustainable patterns of development by creating and maintaining networks of recreational facilities and open spaces, particularly within urban areas;
  - promoting social inclusion, health and well-being by ensuring that everyone has easy access to good quality sport and recreation facilities and open space.
- 1.2 The District Council aims to ensure an adequate provision of play facilities to satisfy the needs of local communities. This aim was embodied in the Suffolk Coastal Local Plan, adopted 1994, and is reiterated as a core principle in the First Alteration.
- 1.3 The preparation of "Suffolk's Environment ... towards sustainable development," in mid 1996, provided the District Council with an opportunity to undertake a comprehensive assessment of the existing provision of outdoor playing space throughout the District. This survey, updated annually since 1996, has provided information of the hectarage of outdoor sports provision for each Parish, together with the type of space provided and any equipment available to use.
- 1.4 This survey, when compared to the District Council's adopted standard of 2.4 ha of outdoor playing space per 1000 population revealed significant under-provision. Even in Parishes where, on first sight, provision appeared to be sufficient, or indeed where there was an over-provision of space, a number of Parishes were under-provided in certain facilities, particularly equipped children's playing space or below quality in terms of equipment provided. Elsewhere the issue of accessibility to playing space compounded deficiencies.
- 1.5 The economic climate and, in particular, the restraints on local authority spending, means that the District Council will find it increasingly difficult to continue to make good existing shortfalls of open playing space provision, and virtually impossible to make good any future shortfalls that may result from additional development.
- 1.6 The adopted Suffolk Coastal Local Plan (1994) included the principle that certain new developments, irrespective of thresholds, may be asked to provide elements of outdoor playing space. On analysing the survey data it became apparent that the policy in the adopted Local Plan (1994) had not been successfully implemented for various reasons. Consequently in some settlements deficits in provision of playing space can be attributed, in part at least, to the shortcomings of this policy.
- 1.7 In addition it became evident that the adopted Local Plan (1994) policy, as implemented, was inequitable. It resulted in a small number of larger developments having to provide for the recreational needs of the new occupiers of their properties, whilst a large number of medium to small scale developments were taking place with little or no contribution to the provision of playing space to meet their demands, thereby exacerbating shortfalls in supply.

- 1.8 The District Council, in the First Alteration, developed a new policy (AP103 (formerly LP81.2)) and, indeed, a new simplified, equitable approach whereby new development will, generally, be expected to contribute to the provision of outdoor playing space which is appropriate to meeting the needs of that development.
- 1.9 This Supplementary Planning Guidance is intended to explain the implementation of the policy and its associated mechanisms, including the new outdoor playing space funding scheme.
- 1.10 It should be noted that this SPG deals with outdoor playing space. It does not necessarily address the provision of amenity open space, which is required under policy AP40 (formerly LP37A) of the Suffolk Coastal Local Plan (incorporating the First Alteration). Amenity or incidental open space is largely those areas of public open space which may be of irregular shapes and sizes and often unsuited to outdoor play. It may include areas of landscaping such as areas of existing trees, hedges, natural habitats and new planting. Its value to the character of a development cannot be overstated. In terms of its provision there is no precise formula and each development will be considered on its merits. This land is, normally, transferred to the District or Town/Parish Councils with a commuted sum payment for management.
- 1.11 Undoubtedly, however, there are many occasions where outdoor playing space and amenity open space is one and the same. Indeed such possibilities should be maximised. Informal play areas found within urban areas and larger villages offer considerable scope for amenity value but the same is also true vice versa. Much is dependant upon the management of the site. For this reason outdoor playing space, particularly informal play, should be seen as having the potential to contribute to a high quality environment.

## **2 THE NEW APPROACH**

- 2.1 Policy AP103 (formerly LP81.2) of the Suffolk Coastal Local Plan (incorporating the First Alteration) statutorily adopted by the District Council in February 2001 states:

### **Provision of Outdoor Playing Space for New Residential Developments**

**Proposals for new residential development will be expected to provide or contribute towards outdoor playing space unless this is not required due to:**

- (a) the nature of the proposed development;**
- (b) the existing provision in the area; or**
- (c) other policies of the Local Plan.**

**Where such playing space, or equipment, is required this should be in accordance with the District Council's minimum standard of 2.4 ha per 1000 population, and be well-related to the housing that it is intended to serve.**

- 2.2 The District Council's standard of 2.4ha playing space per 1000 population is broken down into two elements:

#### **Category**

**Sports Ground  
(for adult and youth use)**

**1.7ha – to include elements of pitches, greens and courts.**

**Playing Areas  
(for children's use)**

**0.7ha – to include outdoor equipped playgrounds and casual or informal playing space within housing areas.**



### **3 ESTABLISHING RECREATIONAL NEEDS**

- 3.1 Housing developments throughout the District will be expected to provide playing space to at least the District Council's minimum standard of 2.4ha per 1000 population.
- 3.2 To be equitable and effective this standard needs to apply to all new residential developments of one or more dwellings. The population of each development should be based on the number and size of dwellings proposed.

#### **Occupancy Role**

- 3.3 As the standard is population based it is necessary to attribute population levels to dwelling size and type. Using one occupancy rate for all developments would fail to distinguish between sizes of dwellings. It is necessary to break the standard down to account for different sizes of property. As properties increase in bedroom size then the population of that property is assumed to increase although it is expected that in larger properties a greater proportion of rooms are used as "spare". The District Council has also taken into account the occupancy rates of existing properties within the District, as established through the 1991 Census. The Council considers the following occupancy rates to be reasonable within the District:

1 bedroom dwellings	:	1.5	persons
2 bedroom dwellings	:	2	persons
3 bedroom dwellings	:	2.5	persons
4 or more bedroom dwellings	:	3	persons

- 3.4 In any future proposed development, when assessing the likely occupancy rates the District Council will include all rooms or spares within dwellings that are capable of being used as bedrooms, once allowance has been made for the normal amount of living accommodation.
- 3.5 Where an application is received in outline, and the proposed size of the development in terms of numbers and/or type of dwelling is not known, the calculation of the potential population is not possible. In such cases the outdoor playing space needs may be reserved for agreement by means of a planning obligation, so that it can be resolved when a detailed application is made, and the "population" of the development can be determined. This is discussed in more detail in paragraph 6.22 (Stage 5).

#### **Recreational Needs**

- 3.6 Once the likely occupancy rate of the development has been established it is then possible to calculate the level of outdoor playing space needs for any given development, from the District Council standard of 2.4 hectares/1000 population.
- 3.7 This need, shown in Table 1, can then be apportioned between the two categories of outdoor playing space: sports grounds and play areas.

**Table 1: Playing Space Need(s) for each Dwelling:**

<b>Number of Bedrooms</b>	<b>Sports Ground Need(s) (youth and adult use)</b>	<b>Children's Playing Area Need(s)</b>	<b>Total Outdoor Playing Space Need(s)</b>
	<b>m<sup>2</sup></b>	<b>m<sup>2</sup></b>	<b>m<sup>2</sup></b>
1	25.5	None	25.5
2	34	14	48
3	42.5	17.5	60
4 or more	51	21	72

## **4 EXCEPTIONS TO STANDARD**

- 4.1 The standards, outlined in Section 3, will be sought for all additional new residential units, where new build or conversions take place. In assessing the number of new units an allowance will be made for any existing units on the site or any extant planning permissions for residential units<sup>1</sup>. New development includes most specialised types of housing including agricultural dwellings, local needs/affordable housing and also staff accommodation since all will create additional demands for playing space.
- 4.2 For conversions, whether or not a new dwelling is being created will be dependent upon the current or last known lawful use. New dwellings, therefore, may be created by the conversion of a building currently or last used as a non-residential unit, for example, an agricultural barn. In addition they may also be created where a change of use is made from any residential use with shared facilities, such as bed-sit accommodation or a care home, to independent residential units with separate facilities.
- 4.3 Replacement dwellings will not be asked to make provision, unless additional dwelling units are being created. If additional units are being created then the net gain of units will be expected to meet the recreational needs.
- 4.4 Extensions to existing dwellings will only be asked to make provision where separate units of accommodation, with their own facilities, are being created. This applies whether or not the additional unit is tied by condition to the main house, for example, as staff accommodation. Provision will not, however, be sought where the additional unit is for a dependant relative, and a specific planning condition or obligation is attached, limiting the occupation of the unit for this purpose.
- 4.5 Permanent permissions for mobile homes will be expected to meet recreational standards as such proposals are treated in a similar manner as permanent new build within the Suffolk Coastal Local Plan.
- 4.6 However, it is accepted by the District Council that there are certain types of development which may not create a demand for all elements of playing space requirements. For example, the occupants of a sheltered housing scheme, nursing homes, or certain types of hostel accommodation where the occupancy is controlled, would not be expected to use children's play areas. In these cases it would not be appropriate for the District Council to apply that element of the standard. However, it is worth noting that whilst elements of the standard may not be appropriate, it may be that additional amenity land/communal space may be desirable to benefit residents of the new proposal. Such cases clearly need to be considered individually on their merits but, Table 2 below has been included as a general guide.
- 4.7 In addition to the exceptions identified in Table 2 the District Council accepts that, on occasions, the number and range of developer contributions sought towards improvements, facilities and services (such as Affordable Housing, Education provision, Highway Improvements, and others included in the SPG on Section 106 Obligations adopted by all Suffolk planning authorities 1999) will be greater than the

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<sup>1</sup> Policy AP103, and SPG15, is a material consideration to be taken into account for all applications submitted after 25<sup>th</sup> April 2001. This includes planning applications for renewal and amendment. In those situations where contributions to play space provision has already been made regard will be given to previous provision.

development is able to bear. This will require a degree of "prioritisation". In any event, each case will be considered on its merits and the whole context for, and circumstances of, the development will be considered in the process of prioritisation. An example of such a case may be the development of certain types of 'brownfield' land where the costs of site preparation and the provision of other infrastructure, or its contribution to the regeneration of an area, may mean that it would be unreasonable to require contributions to other facilities if the development is to proceed. Where such cases arise the District Council will expect developers to justify why they should not be expected to meet the contributions which would normally be sought and be prepared to substantiate their case.

**Table 2 Application of the Playing Space Standard**

<b>Developments where the Council will seek to apply the Play Space standards</b>	<b>Development that is likely to be considered as exceptions to the standard</b>
All new dwellings built on previously undeveloped sites.	
Dwelling gains resulting from redevelopment.	Replacement dwellings (on a one for one basis)
Conversions, or part conversions, creating additional independent residential units with separate facilities.	
	Extensions and annexes within the curtilage of a main property for dependent relatives.
	Sheltered housing schemes, nursing homes, controlled hostel accommodation.
	Bedsit accommodation with shared facilities.
Permanent permissions for mobile homes.	Temporary permissions for mobile homes.

## **5 ON-SITE PROVISION OF OUTDOOR PLAYING SPACE**

- 5.1 Wherever feasible and appropriate, provision of playing space should continue to be accommodated where there is scope within the proposed housing development. As an indication, developments of normally 15 or more dwellings would be expected to begin to make provision, as discussed in 5.3, for playing space for the majority of developments, however, the provision of some, if not all, categories of playing space on-site would be worthless and, therefore, there is a need to group provision from a number of developments to provide a useable area in a convenient location. This procedure is discussed in section 6.
- 5.2 Where provided on-site, such space should be of an appropriate type (to be agreed with the District Council) to serve the needs of the development concerned, and well related to the proposed residential properties, being integral to the design and layout. Where provided on site the facilities should be laid out and equipped in accordance with relevant standards.

### **Providing Children's Playing Space - On Site**

- 5.3 Within a residential development of normally 15 or more dwellings priority should usually be given to the provision of a children's play area, since this facility is most likely to be required within easy reach of dwellings in the development. If provided, the children's playing space should include, depending on size and type of development, suitable ratios of local areas for play (LAPs) local equipped areas for play (LEAPs) and neighbourhood equipped areas for play (NEAPs). Table 3 summarises the main characteristics of these areas which is derived from the National Playing Fields Association (NPFA) 'Six Acre Standard – Minimum Standards for Outdoor Playing Space' (1992).

**Table 3 Characteristics of Play Areas**

	<b>LAP Local Area for Play</b>	<b>LEAP Local Equipped Area for Play</b>	<b>NEAP Neighbourhood Equipped Area for Play</b>
Provision required per number of dwellings	Usually 1 for every 15 dwellings	Usually 1 for every 50 dwellings	Usually 1 for every 100 dwellings
Walking distance/straight line distance	60metres 100 metres	240 metres 400 metres	600 metres 1,000 metres
Time	1 min walking time of home	5 min walking time of home	15 min walking time of home
Play Area Characteristics	Low key games, or play with small equipment discouraging use by older children	At least 5 types of play equipment and small games area	Minimum of 8 types of play equipment. Kickabout area and provision for teenagers.
Target users	Accompanied children 4 – 6 years.	Accompanied children 4 – 8 years	Unaccompanied and unsupervised children 8 – 14 years
Activity zone	100m <sup>2</sup>	400m <sup>2</sup>	1,000m <sup>2</sup>
Buffer zone (Guideline dependent upon composition and design of zone)	5 metres from nearest ground floor window	20 metres from nearest residential property	30 metres from nearest residential property.

5.4 It should be emphasised that the overriding factor in the location and number of play facilities required from a development is accessibility. The combination of LAPs, LEAPs and NEAPs provided should also reflect the character of the site, its' landscape and the Outdoor Playing Space Strategy.

5.5 In the design and development of play areas the District Council would expect certain standards to be achieved. A guide, "Design guidelines for play areas," outlining such standards is attached as Appendix 1 to this Supplementary Planning Guidance.

### **Providing Sports Grounds**

5.6 Sports grounds incorporate playing fields, tennis courts, greens and other facilities for organised sports. Sports grounds can only be provided on-site within very large developments, usually to be expected on developments exceeding 400 dwellings.

5.7 Whilst details of provision is very much dependent upon the characteristics of associated proposals, and will be subject to discussions with the District Council, where such provision is possible then it should be convenient for the residents it serves. It should be properly levelled and drained to provide sports pitches, greens or courts of a good standard, properly marked out, with the provision of goal posts or other equipment necessary for the sports intended. Pavilions and parking facilities may need to be provided and, if required, should be located so as to minimise disturbance to surrounding residents and designed to a good standard.

- 5.8 As the number of such large residential developments expected to come forward within the District is limited it is likely that most of the provision of sports grounds will need to be made off-site, unless an existing recreation ground can be extended onto the development site.
- 5.9 A number of the Parishes within the District have no sports provision and are unlikely to in the future. Sharing provision with nearby larger Parishes, or within a group of smaller Parishes is a common occurrence. Such arrangements maximise availability, and the District Council considers it sensible, and sustainable, to build upon these arrangements.

#### **Maintenance of Playing Space On-site**

- 5.10 The District Council will need to be satisfied that proper provision is made for the laying out, completion and maintenance of all on-site open space, both recreational and amenity. With regard to on-going maintenance of play areas the following principles will be pursued by the Council:-
- high standards of maintenance must be ensured, so that the facility remains attractive to its intended use and is not allowed to deteriorate over the years;
  - replacement play equipment should be provided for as necessary;
  - supervision/monitoring by a responsible body should be available.
- 5.11 In some cases such spaces may be privately maintained for the benefits of the residents of the scheme, but in many developments, especially the larger ones, the developer may wish to dispose of the continuing responsibility and cost of maintaining the open space.
- 5.12 In such cases, Policy AP117 (formerly LP96A) of the Suffolk Coastal Local Plan (incorporating the First Alteration) continues to provide the mechanism for developers to transfer the land to the Local Authority and make a payment to cover the costs of its continued maintenance provided such areas are designed and implemented to the standards set out in Appendix 1 "Design guidelines for play areas". In such cases the developer will normally be expected to dedicate the land, lay it out, maintain it for a period of twelve months and provide an appropriate maintenance payment secured through a planning obligation agreement. The period which such a commuted payment will cover will vary according to circumstances (i.e. the size, number, location, character and function of areas of open space, recreational facilities, children's play space, woodland, and landscaping), although generally a period of 10 years is currently considered appropriate for the majority of schemes. The land will then be maintained by the District Council or the relevant Town/Parish Council.

## **6 OFF-SITE PROVISION OF OUTDOOR PLAYING SPACE**

- 6.1** Policy AP103 (formerly LP81.3) of the Suffolk Coastal Local Plan (incorporating the First Alteration) aims to ensure that new residential development is provided with, or has access to sufficient outdoor playing space and associated facilities in the locality to meet the needs of the prospective occupants of that development. Where local deficiencies in provision exist, new developments will be expected to provide for appropriate new provision or improvements to the available children's play areas and sports grounds to meet the needs of the proposed development. The level of provision sought will be established through the application of the District Council's recreational standard.
- 6.2** It is logical and appropriate for some types of playing space to be provided cumulatively off the development site in a suitable location. The developer of any residential scheme will be expected to 'make provision for' the appropriate amount of playing space.
- 6.3** It has been established in Section 5 that, wherever feasible and appropriate, the developer will be expected to provide elements of either all or part thereof, of the playing space standard on the development site. However, within the District, there will be many instances where a developer is unable to meet the requirement by physically providing and laying out the space. This may be because the development site is too small or inappropriate to accommodate certain categories of playing space, and the developer cannot make available other suitable land off the development site.
- 6.4** Where local deficiencies exist in either, or both, sports ground provision and/or children's playing space, and cannot be provided on-site, the District Council will assist the developer in meeting his responsibilities by accepting a financial contribution in lieu of physical provision. Such contributions will be used, normally by Town/Parish Councils, to acquire and lay out new playing space, or to undertake improvements to existing recreational areas. These areas would need to be in locations convenient to residents of the new developments and existing residents in the area.
- 6.5** Any contributions offered by the developers, to enable their proposed development to meet the requirements for outdoor playing space, will be directly related to the development proposal. The amount of contribution will depend on the playing space requirements for the development and the degree to which these requirements have been met in other ways. If either children's play facilities, or sports grounds, are provided on-site, or on appropriate alternative land in the developer's ownership, the amount of contribution will be correspondingly reduced, in accordance with the amount of land provided. For example, where the full requirement for children's play can be met on-site (in addition to any amenity space provided) only the contribution for sports grounds will be sought. Where only part of the children's play or sports ground requirement can be provided on-site, the remainder will be calculated on a pro-rata basis, according to the amount of space that remains to be provided in that category.
- 6.6** Any financial contributions will, therefore, be fully attributable to the development, and its corresponding resultant needs, and are not intended to confer any additional or unrelated benefit. However, a limited proportion of a contribution may be required by the Authority to contribute towards administrative and legal expenses.



- 6.7 The provision of playing space in a location off the development site requires a different set of procedures and guidelines. As stated above the contribution needed to enable a developer to meet the playing space standard is dependent upon a number of factors, including the amount of provision, if any, being made on site. The costs clearly need to be established at the outset and this has required a detailed assessment of the need for any additional or improved recreational facilities in the locality.

#### **Outdoor Playing Space Parish Schedule**

- 6.8 The District Council has prepared a separate document, titled *Outdoor Playing Space Strategy, Parish Schedule*. The *Parish Schedule*, which is updated and published annually, should be read in conjunction with this Supplementary Planning Guidance. The *Parish Schedule* establishes the level, standard, quality and accessibility of all outdoor playing space that exists within each Parish and Town within the District. It also aims to identify deficiencies in provision and sets out what improvements could be undertaken to enable the existing and future needs of the District's residents to be met. Such improvements take into account the individual character and nature of each of the settlements throughout the District.
- 6.9 The *Outdoor Playing Space Parish Schedule* aims to provide a comprehensive framework within which required improvements to the outdoor playing space provision can be guided. The *Outdoor Playing Space Parish Schedule* promotes the concept of accessibility being the primary consideration for children's play areas. The Strategy makes provision for Parishes, and areas of development, having easy access to play areas, preferably being within easy walking distance although it is accepted that this may be more difficult to achieve in certain sparsely populated areas of the District. Sports grounds should also preferably be provided locally, although it is accepted that in a number of cases it may be more appropriate to centralise the facility where it is easily accessible to a wider range of local residents and sports clubs.
- 6.10 Improvement proposals within the *Outdoor Playing Space Parish Schedule* do vary between Parishes and try to take into account the scale of development that may take place during the time span of the Local Plan First Alteration, together with the standards of the existing recreational provision and the scale and character of respective settlements. The *Outdoor Playing Space Parish Schedule* has tried to be realistic in identifying the improvements possible although it does need to be appreciated that residential development may not proceed at similar rates experienced over recent years throughout the District.

#### **Financial Contributions for off-site provision**

- 6.11 The *Outdoor Playing Space Parish Schedule*, that is reviewed regularly, allows all stakeholders and developers to appreciate how financial contributions will be used to improve the provision of playing space in any given area, well related to the proposed development. Finance contributed by a particular development must be used to improve playing space facilities in the area of that development. This is an important requirement of Circular 1/97, discussed in Section 7. The mechanism of the outdoor playing space fund is outlined in paragraph 6.22.

6.12 To calculate the financial contributions to be sought, if any, for a given development scheme, the following steps will be gone through by the District Council:

Step One The establishment of overall playing space needs both for sports grounds and children's play areas (related to the number and size of residential units proposed);

Step Two Working out the amount of outdoor playing space that is to be sought from and laid out, on-site or off-site, by the developer;

Step Three Taking account of the *Outdoor Playing Space Parish Schedule*, the existence of any local deficiencies and respective improvement proposals, against which the costs of providing any remaining shortfall in the amount and type of provision can be established.

6.13 If the playing space need, established in Stage One, is equalled or exceeded by the physical provision to be made by the developer (Stage Two) then no contribution is expected (apart from any commuted payment that may be made in relation to maintaining the provision see paragraphs 5.11 – 5.12). If the requirement (Stage One) is greater than the actual provision (Stage Two) and there is a local deficiency identified in the *Outdoor Playing Space Parish Schedule*, a contribution will be necessary to enable the developer to satisfy the requirements for the provision of playing space. The contribution sought in Stage Three will equate to the total cost of making the desired additional provision or improvements (including maintenance) through the funding scheme.

6.14 The amount of contribution sought for each aspect of the playing space need is initially based on an estimated standard cost for making the provision of that category. The costs of providing children's play areas, or improvements, are considered separately to those for sports grounds, but they are based on the provision of the Local Plan standards for these areas.

6.15 The estimated costs have included all the anticipated costs of the laying out of a facility of the required size, including levelling, landscaping, drainage, special surfaces and equipment. Included are also other identified costs associated with each type of playing space, for example, sports grounds provision includes the costs of changing accommodation and car parking. The costs have made certain assumptions, including:-

- the provision of a reasonable standard of facility;
- that an area is physically suited to the provision of playing space, thereby not incurring any abnormally high costs; and
- that land acquisition costs will not be at residential, or similar high, value.

The estimated costs also include a small amount for the District Council's administration of the scheme.

6.16 The *Outdoor Playing Space Parish Schedule* identifies, where necessary, two levels of provision improvement. There are those Parishes where improvements to existing facilities are proposed, where deficiencies in standard, quality or distribution of facilities may exist but which can be addressed without the need to acquire additional

land. Secondly there are those Parishes where improvements require the acquisition of additional land.

- 6.17 To reflect this 'hierarchy' of levels of provision, two scales of contributions have been devised, the higher level reflecting those situations where additional land needs to be acquired to improve provision and the lower figure relates to those settlements where improvements can be made to existing facilities. The contributions incorporate an allowance for fees involved in the design of schemes for recreational improvements, or any work required to ensure their satisfactory implementation e.g. land surveys, landscape and engineering design.
- 6.18 Since the standard estimated costs relate to the provision of facilities for 1000 population it is a simple exercise to calculate per capita costs for each of the two scales, for both children's play areas and sports grounds. These per capita costs can be related to each size of dwelling in a proposed development. These costs per dwelling are set out in the *Outdoor Playing Space Parish Schedule*, and are reviewed annually to reflect inflation and cost changes.
- 6.19 The scales of contribution are applied separately to children's play areas and sports grounds and, therefore, it is quite possible for a single Parish to be on different scales for each facility, depending upon current provision. Where no deficiency has been identified in the *Outdoor Playing Space Parish Schedule* then no contribution will be sought. However, it is intended that the overall mechanisms may be reviewed from time to time to ensure proposals remain up-to-date and relevant. It is quite possible that on any review the position regarding provision may change, and hence contribution requirements.
- 6.20 Clearly in the smaller Parishes within the District there will be fewer developments and hence, funds will be limited and will take time to cumulate. The *Parish Schedule* has considered the level of development likely within the Parishes and puts forward proposals that can be implemented realistically and within a reasonable timescale. In some areas it may be appropriate to carry out improvements gradually, in phases, as finances become available.
- 6.21 When funds for a given Parish cumulate to a level sufficient to allow an improvement to the recreational provision for that Parish, they may be released by the District Council. Funds will only be available where the District Council is satisfied that they will be used to add to or improve facilities in accordance with *the Outdoor Playing Space Parish Schedule's* proposals. Funds cannot be used for more general purposes, such as the maintenance or running costs of existing facilities.

#### **Operating the Outdoor Playing Space Funding Scheme for off-site provision**

- 6.22 The need for the provision of on-site playing space and its maintenance is well-established and is recognised and retained in the policy. No changes are being made in its application or operation. However, where provision of outdoor playing space is to be made off-site, then use will be made of the new Outdoor Playing Space Funding Scheme.

The funding scheme is to operate through a number of specific procedures which can be summarised as follows.

### Stage 1: Informing

Prospective developers or purchasers of sites for residential development will be informed by the District Council of standards for the provision of outdoor playing space provision in the District. Information will be made available through the issuing of planning application forms. Pre-application discussions between planning officers/recreation and amenity officers and prospective developers will also provide opportunities to publicise the new standards.

### Stage 2: Registering Planning Applications

Following a planning application being registered by the Planning & Leisure Department of the District Council the outdoor playing space needs will be established. Any on-site deficiencies will be calculated using the standards outlined in Table 1 and the applicant will be informed. The amount of amenity space will also need to be discussed. If an outline application for residential development is submitted where the number and type of housing is not yet known then applicants will be asked to enter a Section 106 Agreement to determine the pre-use open space needs or contribution at the detailed planning application stage. An example of the Heads of Terms for a Section 106 Agreement is outlined in Appendix 2, although the terms of any Agreement will be adapted to suit the circumstances of any particular application or permission.

### Stage 3: Establishing Financial Contributions

By reference to the *Outdoor Playing Space Parish Schedule*, and in particular the relevant Parish entry, the amount of financial contributions sought, in lieu of on-site provision, will be established. If a developer is able to provide part of the playing space target on-site the amount of contribution to the off-site provision will be reduced proportionally.

### Stage 4: Notifying Applicant of Contribution

If a contribution is required the applicant will be notified by letter, specifying separate amounts for children's play facilities and sports grounds, if applicable.

### Stage 5: Two Options for Contribution

If a resolution to grant planning permission is made, financial contribution, will be secured through the applicant either:

- (i) making the payment of the desired amount in advance of the issuing of the planning decision; or
- (ii) entering into a planning obligation (normally a Section 106 Agreement prepared by the District Council, using a standard format to simplify procedures). This provides for the payment to be made into the District Council's Outdoor Playing Space Fund, prior to the commencement of the development/or of specific phases in a large scheme.

Contribution levels will be those applying at the time of the planning decision, if the immediate payment option is selected. If a Legal Agreement is requested, and this is not completed before the end of the financial year, the contribution scales applying at the time of completion of the Legal Agreement and the issue of the planning decision will need to be used. This ensures that levels of contribution reflect the up-to-date expenses incurred for provision.

If the contribution is subject to a Legal Agreement which has been completed, and payment is not received before the end of the financial year, then the levels of contribution may need to be reviewed to reflect any changes in expenses incurred for provision.

The planning decision is issued to the applicant only after one of the two payments options has been implemented.

#### **Stage 6: Payments**

Appropriate contributions are made into the Outdoor Playing Space Fund less a small amount given to the Council's administration of the Scheme.

#### **Stage 7: Cumulation of Funds**

Funds will begin to accumulate for each respective Parish with interest added annually. Annual statements of funds available for use in each Parish will be published and distributed to all Town/Parish Councils at the beginning of each financial year. In addition it will be possible for a Town/Parish Council to request a statement of the amount of money available for their Parish at any point in time.

#### **Stage 8: Bidding for Fund**

Once funds are sufficient to implement respective improvements to Parish facilities, as identified in the District Council's *Outdoor Play Space Parish Schedule*, then Town/Parish Councils, or the District Council's leisure staff, will be able to bid for the release of funds. Where a facility is operated by a separate body on behalf of the Town/Parish Council, e.g. the Village Hall Committee, or is in private ownership, such as sports clubs, the bid should be made either by the relevant Town/Parish Council or alternatively by the operator accompanied by a letter of support from the Town/Parish Council. The release of funds will itself be through a set procedure:

- (a) Town/Parish Councils should discuss any proposals for outdoor playing space improvement with the District Council, prior to any scheme being submitted. It should be noted that Funds cannot be released retrospectively for schemes that have already been completely, or for the employment of contractors that have already been instructed to commence work before discussions have taken place with the District Council. Discussions will include whether the proposal qualifies for the release of funding, whether planning permission will be required, whether the proposal conforms with the *Outdoor Playing Space Parish Schedule*, and whether the proposal is suitable for the site and needs of the local community.

Funds are to be used to either improve the condition or usage of existing facilities or to provide new facilities, given that the additional development will have increased the size of the local community.

For children's play, this may include equipped play areas, as well as multi-purpose games areas, skateboard areas and basketball hoops for older children. For sports grounds this may include the improvement and provision of outdoor pitches, courts or greens or facilities such as training areas. Funds cannot be released for indoor facilities or for activities such as golf.

Schemes for the provision of general amenity spaces are excluded, including areas of woodland or open areas that are not going to be used for children's play and outdoor sports.

(b) Town/Parish Councils should submit any detailed scheme and, for schemes over £10,000, at least three estimates for the cost of carrying out the work to the District Council for approval. Any bid will be required to be submitted on an application form to be obtained from the District Council's leisure staff. Bids can be made for any aspect of the implementation process, for improving existing, or providing new, facilities, including:

- planning application fees
- land purchase costs
- professional fees, in certain circumstances, including surveyors, engineers and landscape architects
- drainage works and ground works
- pitching out of sports areas
- provision of non-pitched sports areas such as tennis courts, bowling greens and sports training areas
- supply and installation of:
  - children's and teenagers' play equipment
  - permanent sports equipment
  - impact absorbing safety surfacing
  - site furniture and fencing
  - accessibility arrangements to, and within the site, in relation to footways and cycle paths, facilitating safe and easy access
  - tree and shrub planting
  - car parking arrangements
  - changing accommodation.

The Fund cannot be used to pay for the daily maintenance and upkeep of facilities and the Town/Parish Council must make allowances in their revenue budgets to cover these costs.

If the amount held in the Outdoor Playing Space Fund for use in the Parish is insufficient to fund the proposed scheme, it is possible to supplement it with additional money from other sources. These may include Town/Parish Council's own funds, National Lottery funding, charitable trusts or landfill tax credit funding.

- (c) The submitted scheme is assessed in relation to the *Outdoor Playing Space Parish Schedule* and its acceptability in cost and design terms.
- (d) If a proposed scheme is acceptable approval will be given, subject to planning consent being obtained, for work to commence on implementing the scheme. In straightforward schemes half of the amount bid for will be transferred from the Outdoor Playing Space Fund to the Town/Parish Council, or the operating body, if different. For schemes requiring the release of £10,000 or more, the approval of the appropriate Committee will need to be sought. This may necessitate an element of delay.
- (e) On completion of the scheme, or an agreed phase of it, the facility will be inspected by the District Council to ensure that it has been provided satisfactorily. The remaining amount to be released from the Fund will then be handed over to the Town/Parish Council, or the operating body. In some schemes it is possible that a facility may be completed in phases and the funds released in stages.
- (f) The Town/Parish Council, or District Council, takes on responsibility for operating and maintaining the recreational facility.

6.23 It is important that any financial contributions made are used as soon as possible after payment so that facilities can be improved and will be available for the occupants of the developments that have contributed. It is, however, accepted that many improvement schemes will normally require contributions from a number of developments. If any funds accumulate within the fund for a particular Parish and are not used for outdoor playing space provision within a reasonable time the District Council will liaise with the particular Town/Parish Council to see if there are any problems preventing implementation of the *Outdoor Playing Space Parish Schedule*. If problems exist the *Outdoor Playing Space Parish Schedule* will be reviewed. If, however, it is simply that the Town/Parish Council has no intention of commencing implementation of the *Outdoor Playing Space Parish Schedule* then the District Council may itself consider using the respective fund for that Parish and implement the necessary outdoor play provision itself. In the unlikely event that no appropriate provision can be made for a particular Parish within a reasonable time period and no alternative courses of action are available in order to provide playing space to serve the residents of that Parish, then it will be necessary to refund developers' contributions.

## **7 CONSISTENCY WITH GOVERNMENT GUIDANCE**

- 7.1 The consultation draft of revised Planning Policy Guidance 17 (PPG17) "Sport, Open Space and Recreation" supported the adequate provision of recreational facilities for local communities, urging local authorities to take account of their communities' requirement for recreational facilities. Paragraph 16 of that draft guidance stated :

'Local planning authorities should adopt policies for the protection of existing, and the provision of new recreational facilities on the basis of a robust assessment of need. They should use this to set standards for recreational provision in their areas. These should enable them to determine the adequacy of provision in their areas and whether any deficiencies- either quantitative or qualitative – exist. Planning policies and proposals should be framed as a response to the analysis of their existing provision. These should be set within the wider strategic objectives for the delivery of recreational, open spaces and sporting provision in their areas. In particular they should reflect a clear appreciation of the respective roles of formal and informal facilities and open spaces to the fabric of an area and to the quality of life of communities. Planning policies should also take into account the role that recreational facilities can play in creating sustainable rural communities. Subject to section 54A of the Town and Country Planning Act, authorities should make their planning decisions in accordance with those policies.'

- 7.2 The final version of the revised PPG17 was published in July 2002. This retains the advice in the draft PPG17, which is now set out in paragraphs 6, 7, 8, 23 and 33 of PPG17, as follows:

### **SETTING LOCAL STANDARDS**

6. The Government believes that open space standards are best set locally. National standards cannot cater for local circumstances, such as differing demographic profiles and the extent of existing built development in an area.
7. Local authorities should use the information gained from their assessments of needs and opportunities to set locally derived standards for the provision of open space, sports and recreational facilities in their areas. Local standards should include:
  - (i) quantitative elements (how much new provision may be needed);
  - (ii) a qualitative component (against which to measure the need for enhancement of existing facilities); and
  - (iii) accessibility (including distance thresholds and consideration of the cost of using a facility).
8. Setting robust local standards based on assessments of need and audits of existing facilities will form the basis for redressing quantitative and qualitative deficiencies through the planning process. Standards should be included in development plans.



## *Local Facilities*

23. Local authorities should ensure that provision is made for local sports and recreational facilities (either through an increase in the number of facilities or through improvements to existing facilities) where planning permission is granted for new developments (especially housing). Planning obligations (see paragraph 33 below) should be used where appropriate to seek increased provision of open spaces and local sports and recreational facilities, and the enhancement of existing facilities. Where local facilities will attract people from a wider catchment, especially in urban areas, planning permission should not be granted unless they are located where they will be well served by public transport.

## **PLANNING OBLIGATIONS**

33. 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. It is essential that local authorities have undertaken detailed assessments of needs and audits of existing facilities, and set appropriate local standards in order to justify planning obligations. Further advice to authorities on seeking planning obligations for open space, sports and recreational facilities is contained in the good practice guide associated with this guidance.”
- 7.3 The Suffolk Coastal Local Plan (incorporating the First Alteration) Policy AP103 (formerly LP81.2), together with the *Outdoor Playing Space Parish Schedule* and Funding System has been devised to address the specific issues identified within PPG17. This SPG clearly shows how the policy and its associated mechanisms also accord with Government advice on planning obligations, currently contained in Circular 1/97. To further remove any doubt about the means of operating the policy within the context of Circular 1/97, the following paragraphs look at the various tests contained in that Circular.
- 7.4 With regard to **relevance and necessity** (paragraph 7 (i) and (ii) of Circular 1/97) the District Council maintains that it is reflecting the advice in PPG17 that sport and recreation facilities are important components of civilised life and that local plans should make proper provision for playing space.
- 7.5 With regard to being **directly related to the proposed development** (paragraph 7 (iii) of Circular 1/97) all elements of the recreational scheme requires the provision of recreational facilities to be well-related to the housing that it is intended to serve. Policy AP103 (formerly LP81.2) of the First Alteration ensures that any physical provision of recreational facilities will be related to the site. In addition, and with regard to financial contributions which are required when physical provision is impractical or inappropriate, the District Council is also satisfied that this will go towards provision of facilities directly related to the site. The *Outdoor Playing Space Parish Schedule* and the Outdoor Playing Space Fund are both established on a small area basis. The funds are to be used to provide recreational open space facilities directly related to the needs of the housing development that has contributed.

- 7.6 With regard to the requirements that any provision should be **fairly and reasonably related in scale and kind to the proposed development** (paragraph 7 (iv) of Circular 1/97) and the requirement that **benefits should not be sought which are not directly related to a particular development proposal** (paragraph B17 (ii) of Circular 1/97) the District Council believes that the system fully reflects its intention that developers only be asked to provide or contribute towards that element of recreational provision which would not have been necessary but for the development. The District Council does not expect developers to resolve existing deficiencies but simply that element of need that arises from the new development. The policy and the funding system takes into account:
- (i) the nature of the development, including consideration of:
    - the size of the development, relating to the number of bedrooms being proposed;
    - the number of houses being proposed
  - (ii) the existing provision in the area. This will allow the District Council to account for the existing characteristics of the area; whether provision is necessary and if so whether this should be through improving existing facilities or acquiring more land for new or extending facilities.
- 7.7 With regard to the need for contributions to be spent in the near future (paragraph B9 of Circular 1/97) regular updating of the *Outdoor Playing Space Parish Schedule* seeks to ensure that financial contributions are directed towards meeting the costs of providing facilities within a reasonable time period.
- 7.8 With regard to **blanket formulation** (paragraph B17 (iii) of Circular 1/97) the District Council is convinced that the system is not. The District Council accepts that it involves a formulation, but this is based on a number of different aspects relating to each development site. Any contributions made are expected to reflect the nature of any existing residential use of the site, the number and sizes of additional dwellings proposed, the type of development proposed, whether on-site provision is appropriate, and the nature of the open space facilities existing in the locality. The District Council considers the formula to be highly responsive to the particular needs of each proposed development, and is fairly and reasonably related to it.
- 7.9 With regard to the use of **contributions to a general fund** (paragraph B17(iv) of Circular 1/97), the Council's system ensures that funds are reserved specifically for the use of those Parishes in which each new housing development takes place.
- 7.10 The Outdoor Playing Space Funding System avoids the **allocation of precise costs in advance** (paragraph B17 (vi) of Circular 1/97). The system involves taking the full contribution level for each size of dwelling, according to the location of the proposed development, and the nature of the open space improvements that would be required as a result of that development. If any on-site provision is made, the contribution is reduced accordingly. The contribution scales, therefore, represent a "starting point" for any assessment of the open space provision required by any proposed development. Precise costs would only be allocated when the details of each development proposal was known.
- 7.11 With reference to **maintenance payment** (paragraph B17 (vii) of Circular 1/97), the funding system itself is not intended to seek any contributions towards maintenance

of facilities. However, if such spaces become the responsibility of the local authority or Town/Parish Councils, then the issue of maintenance payments is covered by paragraph 7.17 of the First Alteration. Such provision conforms with example 3 of paragraph B14 of Circular 1/97.

## **8 MONITORING**

- 8.1 The District Council appreciates that the introduction of this new recreational strategy does pose the possibility of incurring initial problems of lack of familiarity and may result, on occasions, in minor delays in the processing of planning applications. However, there has been much co-ordination of efforts within various sections of the Authority. It is intended that the *Outdoor Playing Space Parish Schedule* and the Outdoor Playing Space Fund, together with all associated systems, will continually be monitored and reviewed annually. Adjustments to the methods established within this Supplementary Planning Guidance will be made if they are considered to be necessary.

## **9. PUBLIC CONSULTATION**

- 9.1 Prior to the adoption of this Supplementary Planning Guidance an extensive consultation process was undertaken, both on this element of the SPG and on the Outdoor Playing Space Parish Schedule. Outlined below is a list of all those organisations consulted. Appendix 3 summarises the comments received on the mechanisms of this Supplementary Planning Guidance together with the local authorities response to these comments.

### **ORGANISATIONS CONSULTED ON SPG 15**

#### **All Parish/Town Councils**

#### **Suffolk Coastal District Council Members**

#### **Suffolk County Council Members**

#### **Government Depts/**

#### **National Organisations:**

CABE  
Countryside Agency  
Country Land and Business Assoc.  
East of England Tourist Board  
East of England Development Agency  
Equal Opportunities Commission  
Go-East  
House Builders Federation  
Sport England  
Equal Opportunities Commission  
English Heritage  
National Farmers Union  
National Playing Fields Association  
SCEALA

#### **Facilities and Services**

Regional Health Authority  
East Suffolk Health Authority  
Local Health Services Trust  
East Suffolk Health Authority  
Suffolk Family Health  
County Crime Reduction Co-ordinator

#### **Parliamentary representatives**

#### **Suffolk County Council**

#### **Adjacent local authorities**

Babergh District Council  
Ipswich Borough Council  
Mid Suffolk District Council  
Waveney District Council

#### **Local Organisations:**

Aldeburgh Society  
Diocese of St Edmundsbury and Ipswich  
East Coalition of Disabled People in Action  
Felixstowe and District Sports Council  
Felixstowe Forum of Voluntary Organisations  
Felixstowe Society  
Greenways Countryside Project  
Ramblers Association  
Rushmere Commoners  
Suffolk Preservation Society  
Federation of Suffolk Byeways and Bridleways  
Suffolk ACRE  
Suffolk Assoc. of local Councils  
Suffolk Coast and Heaths  
Suffolk Coastal Business Forum  
Suffolk Heritage Housing Assoc.  
Trimley Preservation Society  
Woodbridge Society

#### **Libraries**

Aldeburgh  
Felixstowe  
Framlingham  
Leiston  
Saxmundham  
Wickham Market  
Woodbridge  
Travelling library

#### **Planning Consultants/ Agents:**

- 94 in total

**Residents' Associations**

Park Road Residents' Association  
West End of Felixstowe Residents Assoc.  
SHARA  
Felixstowe Town Centre Residents Assoc.  
Felixstowe Town Ground Area Residents Assoc.  
Martlesham heath Neighbourhood Assoc.  
Watersfield Park Residents Assoc.  
Rendlesham Park Residents Assoc.

**Local Recreation providers:**

Woodbridge Rugby Club  
Orwell High School  
Thomas Mills High School  
Leiston High School  
Farlingaye High School  
Sizewell Sports and Social Club  
The Hollies Sports Ground  
Deben High School  
Brackenbury Sports Centre  
Kesgrave High School  
Woodbridge Town Football Club  
Ipswich Rugby Union Football Club  
Woodbridge School  
Framlingham College  
Suffolk Police Headquarters  
Ipswich YM Rugby Club  
Rushmere Sports Club  
British Telecom  
Ipswich Town Football Club  
Ipswich Wanderers

Saxmundham Sports Club  
Social services Childcare Team  
Childcare Planning Team  
Felixstowe Youth Club  
Kesgrave Youth Club  
Parham & Hacheston Youth Club  
Rethink Disability  
Hacheston Under 5's  
Otley Under 5's

## **Appendices**

- 1 Design Guidelines for the Development of Play Areas**
- 2 Outdoor Playing Space Legal Agreement**
- 3 Public Consultation Responses**

## **Supplementary Planning Guidance**

### **Outdoor Playing Space**

#### **Appendix 1**

#### **Design Guidelines for the Development of Play Areas**



## **DESIGN GUIDELINES FOR THE DEVELOPMENT OF PLAY AREAS**

These design guidelines are intended to complement Supplementary Planning Guidance 15 "Outdoor Playing Space". They will assist the District Council in determining planning applications, where required, for the provision of new or extended children's play areas.

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Development & Community Services  
Suffolk Coastal District Council  
Melton Hill  
WOODBIDGE  
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IP12 1AU

## **DESIGN GUIDELINES FOR THE DEVELOPMENT OF PLAY AREAS**

The following general principles should be taken into consideration when designing play areas, both formal equipped play areas and informal areas:-

### **Location/Siting**

Play areas should be

- Within easy walking distance of home, as set out in Table 3 of SPG15, accessed by a safe network of footpaths and/or cycleways. For those play areas likely to attract people from a wider catchment, especially in urban areas, they should be sited where they will be served by public transport;
- Integrated into, a development so as to acknowledge that play is an important aspect of community life. Any play areas for young children must not be secluded from view and should gain the best chances of natural and casual surveillance from nearby buildings;
- Away from situations where it may cause undue nuisance e.g. to neighbouring properties;
- Where play areas are located near to, or adjacent to, spine roads, watercourses, railway lines appropriate design and safety measures need to be included. Overhead power lines, where kites and balls, for example, could come into contact with the cables, should be avoided;

### **Involvement of end users**

When preparing a scheme for play areas, particularly involving equipment for young teenagers then, where possible, the prospective end users should be involved in the selection and decision-making process. Regard may be had to the publication "Youth Shelters and Sports Systems – A good practice guide" published by Thames Valley Police.

### **Layout**

An accurate plan of the proposed play area, including a detailed construction and a detailed landscape plan, should be drawn to a scale of 1:200 or greater (to be determined by the Council). The layout should consider the following:-

- Ensure that equipment is laid out in accordance with EN 1176 and EN 1177, including the correct 'Minimum Use Zone' around each item of equipment;
- 'Desire lines' between equipment should be anticipated and equipment laid out to ensure that children will not pass close to swings or other moving items. This can also be resolved with the use of paths, fencing and planting;
- Equipment for different age groups should be separated;
- Items such as swings should not be located next to busy entrances;
- Metal slides should not face south as they can become very hot during sunny weather;
- Creative landscape treatment should be provided to allow a rich environment conducive towards the child's physical, social and psychological development. Existing natural

features such as trees, hedgerows and changes in ground level should be preserved wherever possible;

- Shade should be provided in the play area to prevent sun burn;
- Providers are reminded of their obligation for appropriate access under the Disability Discrimination Act 1995.

## **Equipment**

It is important to reduce the risk of accidents where possible. All equipment and surfacing should be purchased from and installed by suppliers which have test certificates indicating compliance with EN 1176 and EN 1177.

The type and siting of play equipment must be to the Council's approval. The following recommendations offer guidance for developers:-

- The selected equipment should cater for a range of physical experiences, reflecting the age group of its users.

Until the age of six, children should have the opportunity to carry out at least six of the following activities in a play area – some of which should involve moving items:

- climbing, crawling, rocking, rotating, sand play, sitting, swinging, springing, water play and role play.

Between the ages of 7 and 11 children prefer more adventurous play, stretching out and climbing and is recommended that play areas should allow for at least 10 of the following activities, some of which should include moving items:

- agility, balancing, bridges, climbing, games, gliding, gymnastics, hanging (static), hanging (moving), scrambling, sitting, sliding, springing, swinging (groups), swing (single), rocking, rope play and rotating.

## **Young teenagers prefer**

- large group swings, cable runways, roundabouts, places to sit and talk, places for skateboards and bicycles and flat areas for ball games.
- Consideration needs to be given to the use of equipment by disabled children;
- Seating and litter bins should be provided in appropriate locations complying with local authority standards;
- Cycle stands should be considered within LEAPs and NEAPs;
- The colour of equipment should be stimulating, possibly indicating usage zones, but also sympathetic to surrounding areas. Wood, for example, may be more appropriate in natural areas.

## **Surfacing**

- A variety of materials are acceptable with play areas according to their intended use. EN 1177 standards should be met.

An impact absorbing surface is the preferred surface to be used for the minimum use zone of any play equipment from which a fall is possible. The Council will offer advice on the choice of appropriate surfaces within the activity zone of play areas. The following Table offers a brief guide to the types of surface available.

- A smooth firm surface should be provided at all access points and leading to and round seating.

## **Fencing**

- All play areas should be fenced and gated to exclude dogs.
- Fencing should be robustly designed and normally constructed to a minimum height of 1200mm, but not too high as to prevent supervision. This is particularly important when considering the design of LAPs. Fencing should be sympathetic to the surrounding area.
- Particular attention should be given to the means of access in order to exclude dogs, yet facilitate entry by children, buggies, wheelchairs and bicycles (where appropriate) e.g. through using some form of self-closing gate. Self closing gates should operate silently.
- If the entry gate is to be positioned near to a roadway, a highway specification barrier will need to be installed in front of the gateway to prevent children running out from the play area directly onto the road.

## **Planting**

- Tree and shrub planting should be used in association with ground modelling and fencing to provide a strong framework to the play area.
- Careful choice of plants will not only give year round aesthetic appeal to stimulate the senses of sight, hearing and smell, but can also attract wildlife to the area which is an added benefit for children. Poisonous species must be avoided.

## **Management**

Playground providers have a legal obligation to ensure that their equipment and sites are safe and that arrangements are in place for inspection and maintenance. Risk assessments must also be undertaken to identify 'significant risks'. It is, therefore, important that provision is made in revenue budgets for the ongoing maintenance of such equipment.

Information about inspecting play areas and carrying out risk assessments can be obtained from the District Council – Telephone 01394 444230.

Advice on the management of play areas is available from the District Council's leisure staff. Telephone 01394 444321.

## **Supplementary Planning Guidance**

**Outdoor  
Playing  
Space**

**Appendix 2**

**Legal Agreement**

## **HEADS OF TERMS**

### **CONTEXT**

The land lies within the Suffolk Coastal Local Plan (incorporating the First Alteration) which seeks appropriate provision for outdoor open space to serve new dwellings.

Where developers do not or are unable to make provision for all or any of the outdoor playing space they are asked to make a payment to meet the cost of providing or improving provision within the particular parish.

The methods of assessing the amount of outdoor playing space or the amount payable by developers in lieu thereof are set out in the contribution scales appended to Supplementary Planning Guidance (SPG) 15: Outdoor Playing Space.

### **OUTDOOR PLAYING SPACE CONTRIBUTIONS BY PLANNING OBLIGATIONS**

- 1 The covenant shall be binding on the land and be binding on and enforceable by the District Council against the developers and successors in title.
- 2 The covenant shall come into force upon issuing of planning permission for the development.
- 3 Payment should be made before any work on the development begins.
- 4 The sum payable shall be as follows:
  - (a) On or before [financial year date] the sum calculated in accordance with the contribution scales contained in the SPG.
  - (b) The sum calculated in (a) shall be adjusted for inflation on each succeeding 1<sup>st</sup> April until payment of the sum becomes due.
  - (c) On each 1<sup>st</sup> April the sum shall be increased (or reduced) by the annual percentage change in the Retail Prices Index.
  - (d) The annual percentage increase (reduction) shall be applied to the sum as previously adjusted at any preceding 1<sup>st</sup> April.
- 5 The Council shall pay the sum when received into a Parish Reserve Fund which shall be used exclusively to implement the proposals set out in the Parish Schedule or any subsequent amendment.
- 6 The developer covenants not to commence the development before paying the sum to the Council and it is agreed that on commencement of the development the sum shall be payable.
- 7 If the sum is not paid after it is due the developer shall pay interest at the rate of 2% above the base lending rate, from the date when the sum became due until final payment made.

## **Supplementary Planning Guidance**

### **Outdoor Playing Space**

#### **Appendix 3**

##### **Public consultation responses**

**This appendix includes an extract from the Planning Committee Report (April 2001) which considered the responses received on the Outdoor Playing Space SPG drafts. Only the covering report, Appendix 1 and Appendix 4 of that report are included. Appendices 2 and 3 of that report can be requested from the District Council.**



Planning Committee: 24 April 2001

## **SUPPLEMENTARY PLANNING GUIDANCE: OUTDOOR PLAYING SPACE**

Report by Director of Planning and Leisure

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### **1. PURPOSE OF REPORT**

- 1.1 To consider the implications of Revised Planning Policy Guidance 17 - draft consultation document (March 2001) on draft Supplementary Planning Guidance (SPG) No 15 Outdoor Playing Space; and representations received in response to the consultation exercise undertaken on the draft SPG.

### **2. BACKGROUND**

- 2.1 Members will note that SPG15 is formed of two documents: *Outdoor Playing Space* and *The Outdoor Playing Space Strategy*.
- 2.2 The *Outdoor Playing Space* introduces a new mechanism by which new housing developments within the district will make appropriate provision for outdoor playing space, appropriate to meeting the needs of that development.
- 2.3 The *Outdoor Playing Space Strategy* attempts to establish a long-term framework for the development of outdoor playing space throughout the District, on a parish-by-parish basis.
- 2.4 The consultation exercise on draft SPG15 began on 15<sup>th</sup> January 2001 with a closing date of 2<sup>nd</sup> April 2001. It was an extended 8 week period of consultation due to the local importance of this new SPG. Town/Parish Councils were asked to undertake their own consultation exercises with local sports teams and clubs and any other community body that may have an interest in play provision within their respective parish. The importance of local agreement on the adequacy of local provision and demand was highlighted. It is pleasing to note that there has been evidence of this subsequent local consultation exercise.

### **3. ANALYSIS OF REPRESENTATIONS RECEIVED**

- 3.1 With regard to *Outdoor Playing Space* a total of 49 representations have been received referring to the actual mechanisms and implications of the policy. Late representations will be verbally reported to Committee. Detailed analysis of representations received, to date, on this aspect of the SPG, together with a response to these comments is attached as Appendix 1. Within this Appendix it is indicated whether it is thought appropriate to amend the draft SPG to address issues raised. The layout of the Appendix follows the same sequence as this part of the draft SPG.
- 3.2 During the undertaking of the consultation exercise the opportunity was taken to train further a number of Officers on various aspects of the SPG and the new procedures that need to be put in place. Training days for Development Control Officers, for example, have been undertaken, and the Councils internal public open space forum has discussed various requirements of the SPG. These discussions have been very necessary and valuable due to the corporate requirements of the new system. As a result of these discussions minor changes are now proposed which further clarify the system. These changes are not, however, considered to be fundamental in nature and do not alter the SPG in such a way as would require a further consultation exercise to be undertaken.

- 3.3 With regard to the *Outdoor Playing Space Strategy* it is pleasing to note that a total of 51 representations have been received, the majority of which are Town/Parish Council responses. Members will be aware that when considering elements of this *Strategy* at the December 2000 meeting it was pointed out that, due to the nature of the *Strategy*, errors and omissions were likely. Representations received have generally confirmed details to be accurate, although there have been a number of amendments requested to individual Parish entries. A list of representations received on the *Strategy* is included as Appendix 4. An analysis of representations on the *Strategy* is not produced in this Appendix. This is because this element of the consultation exercise was essentially a fact-finding mission, establishing if the *Strategy* reflected accurately local needs and demands. However, within Appendix 4 a few examples of the types of comments received on the *Strategy* have been included, indicating the range and detail of comments received. Copies of all representations received on the *Strategy* have been placed in the Members' Room. Appendix 5, attached as a separate document to the Agenda and report, contains those parish entries where changes to the text and/or contribution levels are being proposed. Representations from Town/Parish Councils and other organisations are still being received with regard to the *Strategy* and, therefore, the Committee is recommended to delegate authority to the Director of Planning and Leisure to finalise and subsequently update the *Strategy*.

#### **4. IMPLICATIONS OF REVISED PLANNING POLICY GUIDANCE**

- 4.1 Revised Planning Policy Guidance (PPG) Note 17: Sport, Open Space and Recreation – Public Consultation Draft was published by Dept. of Environment, Transport and Regions (DETR) on 21 March 2001. The implications of this document with particular regard to the Supplementary Planning Guidance are outlined in Appendix 2 of this Report.
- 4.2 An assessment of the revised PPG17 does indicate that it continues to provide the context for the District Council to operate Policy AP103 (formerly LP81.2) of the Suffolk Coastal Local Plan (incorporating First Alteration) together with its associated mechanisms. Indeed it would appear that the revised draft PPG17 consolidates the Council's position. Some minor amendments to draft SPG15 are proposed within Appendix 3 to take on board some of the detailed comments of the revised draft PPG17.
- 4.3 The Consultation exercise on revised PPG17 – draft consultation document closes on **Friday 15<sup>th</sup> June 2001**. Whilst the matrix comparing the revised PPG against the draft SPG will form an important element in the District Council's response to DETR it is important that all aspects of the revised PPG are taken into account. There are additional aspects of the revised PPG17 that have no bearing on the draft SPG but which require consideration, and commenting upon, by this Council. Unfortunately due to the timing of the publication of the revised PPG17 it has not been possible to establish a comprehensive view on all aspects of the Guidance Note. Authority is, therefore, sought for the Director of Planning and Leisure to make a comprehensive response on the revised draft PPG17.

## **5. PROPOSED CHANGES**

5.1 Attached as Appendix 3 are the proposed changes to the *Outdoor Playing Space*. These proposed changes arise from:

- (a) Changes to reflect the revised draft PPG17; and
- (b) The consideration of representations received as part of the consultation exercise and through internal discussions within the Council.

## **6. MONITORING**

6.1 Members will be aware that SPG15 is a significant new element of work for this Council, requiring the installation and operation of mechanisms in a number of Departments. Whilst discussions and training have been extensive the operation of the associated systems will, undoubtedly, take time for all officers to become familiar with them and will have certain repercussions. In the short term, for example, there are likely to be implications on the determination time for planning applications, with the expectation that a number will be beyond the eight week determination period. A monitoring report will be presented to the October Planning Committee, if thought necessary, following the first six months trialing of the system if shortcomings are identified, together with recommendations of appropriate improvements. It is appreciated that a substantial amount of time will be spent on managing the scheme. For this reason it is intended that a small percentage of financial contributions received will be used to meet the Council's costs. This will be up to a maximum of 7% of a contribution.

6.2 Members should be aware that the *Strategy* will need to be regularly reviewed to reflect, for example, the enhancement of existing facilities, increases in population estimates and any other unforeseen circumstances. Whilst reviews of the complete *Strategy* will be carried out annually, occasions will arise when changes to the *Strategy* may be warranted due to, for example, changes in the levels of provision or standards of provision. Where such changes warrant amendments to the *Strategy* the appropriate Town/Parish Council and other interested parties will be notified.

## **7. RECOMMENDATIONS**

7.1 It is recommended that the Committee:

- (a) amends the draft Supplementary Planning Guidance *Outdoor Playing Space* and *Outdoor Playing Space Strategy*, as described in the Report;
- (b) authorises the Director of Planning and Leisure to make any further minor amendments to the *Outdoor Playing Space* text, if necessary;
- (c) authorises the Director of Planning and Leisure to review regularly and revise, where appropriate, the *Outdoor Playing Space Strategy*.
- (d) adopts the Supplementary Planning Guidance *Outdoor Playing Space* and *Outdoor Playing Space Strategy* as amended for the purposes of Development Control;
- (e) authorises the Director of Planning and Leisure to make a comprehensive, corporate, response to DETR on the revised draft PPG17, to include aspects referred to in Appendix 1.

J G Schofield  
Director of Planning and Leisure

**BACKGROUND PAPERS :**

Planning and Leisure Department file reference number 10.10.10

Reference: SPG-Outdoor Playing Space.doc  
9 April 2001

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For further information, please contact Mr S Ratcliffe, Senior Planning Officer, on (01394) 444250

## SPG – OUTDOOR PLAYING SPACE

### SUMMARY OF RESPONSES

#### GENERAL ISSUES

**Trimley St. Mary Parish Council** and **Trimley St. Martin Parish Council** support the SPG and the scheme that requires residential developers to make a contribution, either physically or financially, towards the provision of outdoor recreational facilities. **Felixstowe Town Council** warmly welcomes the principles of the SPG and will co-operate fully in the application of this funding within Felixstowe. This will be done on a case by case basis as and when the funding becomes available and will be carried out within the context of the Play Areas Partnership. The **Town Council** congratulate the District Council for this particularly innovative piece of work and the excellent detailed analysis which accompanies it. **Martlesham Parish Council** appreciates the extended consultation period and supports the Guidance. **Westleton Parish Council** broadly welcomes the principles of wider consultation and the taking of decisions at the appropriate level, and offers no specific objections to any of the proposals. **Westleton Barrel Fair Committee** supports SPG15, appreciating the considerable amount of time and effort put in to producing the two documents. **Hollesley Parish Council** and **Hollesley Youth and Sports Association** both agree in principle with the outdoor playing space strategy. **Huntingfield Parish Council** has pleasure in thoroughly endorsing the principles established within the draft SPG. **Kesgrave Town Council** welcomes and supports very much this positive approach and applauds the thought and detailed work that has gone into it. The **Town Council** supports totally the new mechanisms. **Hasketon Parish Council** approve the Play Space Funding Scheme but point out that, in view of the small amount of development that is anticipated for Hasketon, the scheme will not overcome the lack of playing space in the village. **The Ramblers' Association (Alde Valley Group)** were impressed by the thorough care being given to the needs of both young children and young people and have no adverse comments to make. **Suffolk Preservation Society** is concerned that all developments, irrespective of size, should contribute to the well-being of their communities. The practical good sense and imagination with which the SPG has been prepared is welcomed. The Council has succeeded in tempering bureaucratic statistics with proposals born of direct experience of small children. **The Society** hopes that the SPG will be accepted by developers in the spirit in which it has been written, and will be successfully translated into practice. **Felixstowe and District Council for Sport and Recreation** welcomes the District Council's recognition of the importance of outdoor playing space to the well-being of individuals together with the establishment of a comprehensive long-term framework for the development of outdoor playing space provision throughout the District. However, it expresses disappointment that such a scheme was not in place very much earlier so that Felixstowe would not now be in such a dire position. The **Felixstowe and District Council** states that the children of Felixstowe have suffered from a catalogue of lost planning gain opportunities when developments such as Cavendish Park, Orwell Green, Grange Farm and even more recently valley Walk were under consideration.

#### DOPL response:

*The support for the SPG is welcomed.*

A questionnaire was sent to all Town/Parish Councils to assist them with the consideration of the SPG, and in particular the *Strategy*. One of the questions asked was

“Does your Town/Parish Council or Parish Meeting support the new mechanism whereby all new housing developments within the District will make appropriate provision for outdoor playing space, whether through direct provision or financial contributions?”.

In response to this question 24 Town/Parish Councils have indicated a positive response. Apart from those Town/Parish Councils referred to above, positive responses have been received from the following:

**Badingham Parish Council**, although considered too late to have any significant impact

**Bramfield and Thorington Parish Council**

**Bucklesham Parish Council**

**Butley, Capel St.Andrew and Wantisden Grouped Parish Council**, although they consider development involving 15+ dwellings is extremely unlikely.

**Campsea Ashe Parish Council**

**Eyke Parish Council**

**Great Bealings Parish Council**

**Grundisburgh Parish Council**

**Kirton Parish Council**

**Knodishall Parish Council** in principal

**Leiston-cum-Sizewell Town Council**

**Levington and Stratton Hall Parish Council**

**Middleton Parish Council**

**Nacton Parish Council**, although the Parish Council consider it unlikely that there will be developments on a scale that would make appropriate provision.

**Otley Parish Council**

**Pettistree Parish Council**

**Rendham Parish Council**

**Sweffling Parish Council**

**Swiland and Winesham Grouped Parish Council**

**Tuddenham Parish Council**

**Ufford Parish Council**, although they point out that for many small villages where little or no building space is available the SPG will have little impact or none at all.

**Wickham Market Parish Council** support the principal, although consider it unlikely to make a major impact on villages in the short term given that there is no land available for large developments. However, the contribution could help in improvements to existing facilities.

**Woodbridge Town Council**

**Yoxford Parish Council**

**Kettleburgh Parish Council** indicated that they did not support the new mechanism, although this statement was not qualified.

***DOPL response:***

*The significant local support for the new mechanisms is very much welcomed. As explained in the SPG the mechanisms will be applying to all new developments, irrespective of size.*

**Fellxstowe Town Council** expressed concern about the future maintenance and replacement of play equipment provided under the scheme. As part of the new financial arrangements finance should be identified for the future maintenance of the equipment and also, preferably, for its future replacement.

**DOPL response:**

*Where playing facilities are provided on site then the District Council will need to be satisfied that proper provision is made for the maintenance of such spaces. Such considerations would include requiring a high standard of maintenance, the replacement of play equipment, and adequate provision/monitoring by a responsible body. Where the developer intends to transfer their responsibility to the Local Authority then an appropriate maintenance payment will be secured. The District Council or the respective Town/Parish Council would then maintain the land.*

*Where playing facilities are secured through accumulating financial contributions then a different approach is applied. The draft SPG currently states that the Outdoor Playing Space Fund cannot be used for the daily maintenance and upkeep of facilities. In these cases the Town/Parish Council must make allowances, through their parish precept to cover these costs. It is felt that this part of the SPG (Section 6; Stage 8 (b)) should be highlighted. This is primarily as the establishment of a new play area under this scheme, or an expansion of an existing one, will serve, in the vast majority of cases, the wider community as well and it is therefore only reasonable that the community, at large, should be responsible for its upkeep. Finance collected from developments can only be sufficient to meet the needs arising from that development. However, the Scheme, as proposed, does allow for the future replacement of equipment to be funded through the Outdoor Playing Space Fund. Highlight text accordingly.*

**Trimley St. Mary Parish Council** and **Trimley St. Martin Parish Council** indicate that they would give full support to any scheme to make industrial and commercial undertaking making similar contributions to parish facilities.

**DOPL response:**

*This aspect of provision is not thought appropriate at present. However, it is accepted that large-scale employers do perceive benefits in providing recreational facilities on site and this will continue to be encouraged where proposed.*

**Darsham Parish Council** support in principle the mechanism whereby new housing developments would make appropriate provision for outdoor playing space but believe that it should only apply to developments of a reasonable size, perhaps fifteen or more dwellings, otherwise the requirement could become an additional tax on house purchase and further hinder the provision of affordable housing in rural areas.

**DOPL response:**

*The concerns of the Parish Council are appreciated. However, applying the policy to only a certain number of houses would mean that the policy would become inequitable and simply lead to a further exacerbation of deficiencies in rural areas. It is an approach that cannot be supported. The District Council is very much aware of the need for affordable housing and is developing a revised SPG that should, hopefully, help to deliver such housing.*

**The Woodbridge Society** considers the detailed SPG to be long overdue in the light of apparent deficits in facilities to serve the town. The **Society** urges the Council to take appropriate action immediately to allocate the necessary funding over a finite timescale to allow the improvements to be implemented. As each proposal is brought forward the **Society** asks that it be consulted.

**DOPL response:**

*Whilst it is accepted that the scheme, when operational, will help to secure an additional source of finance which can then be used to enhance existing, or establish new, facilities, such financing will accrue over time. Amounts of finance will be dependant upon the number and type of new residential development being approved within any given parish. It is unlikely such financing will be enough in its own right to provide new facilities in most parishes but it should have a multiplier effect bringing forward other avenues of funding.*

*The scheme, and its associated Strategy does not commit additional finance from the District Council. However, it does establish a comprehensive strategy for the development of recreational provision in all parishes and provides, hopefully, an agreed framework for all partner organisations.*

*With regard to consultation the Society will be able to request being consulted as and when planning applications are submitted. However, it should be pointed out that not all improvements may require applications and may only require District Council involvement if grant aid is sought or bids are made to this scheme.*

**The Countryside Agency** welcomes the approach to outdoor playing space. It believes that in securing developers' contributions and planning obligations a green space management strategy could be developed by the Council for the District. This would cover a wider range of open space, important in landscape and wildlife terms, including local wildlife areas, allotments and grass verges.

**DOPL response:**

*Agree that the development of the Outdoor Playing Space Strategy could be seen as an initial step, albeit significant one, to the development of an overall green space management strategy which is currently being promoted by the Countryside Agency across England and Wales. Consideration of the preparation of such a Strategy may form part of a subsequent Local Plan Review/Alteration.*

**The Countryside Agency** requests that access is addressed in this SPG. Developer contributions could help fund a Greenways pedestrian and cycleway network, linking the play spaces created. This Greenways network could also facilitate green commuting and traffic free travel to school routes in Aldeburgh, Felixstowe and Saxmundham.

**DOPL response:**

*Accessibility has formed an important consideration in the development of the Strategy. The distribution of children's play areas within parishes, in particular, forms one of the criteria of assessing current provision. The aim is to develop an easily accessible, and thereby more sustainable, network of outdoor playing spaces. It is accepted that improvements to the footway and cycle network to, and within, outdoor play space areas may enhance use and improve sustainability. It is agreed that more explicit reference within the Bidding section to improvements to accessibility arrangements be included.*



**The House Builders Federation** has considerable reservations about the operation of this type of scheme in the context of current national guidance on the use of planning obligations. The Federation, as well as making detailed comments on various aspects of the scheme indicates that they will be monitoring, through member companies, how the scheme is operated. **Suffolk County Council**, whilst appreciating the wish to ensure an equitable approach, have some doubts as to the practicality or validity of applying the scheme at individual levels of development. The question of consistency with the recently updated county-wide guidance on Section 106 obligations also arises. Among other things the guidance notes that developers will not be required to make contributions for facilities that are needed solely in order to resolve existing difficulties. It also recognises that with brownfield developments it may be unreasonable to require contributions to facilities if development is to proceed. Finally it acknowledges that development thresholds at which contributions would be justified cannot normally be determined in advance. However, it is noted that S106 SPG recognises that further guidance is a matter for local plans and that final decisions in this area rest with the determining authority. Draft SPG15 also appears to potentially give higher priority to playing space over affordable housing, transport and education in the use of developer contributions.

**DOPL response:**

*The reservations of the Federation and Suffolk County Council are disappointing. Careful and detailed assessment has been given to this scheme, including the means of operating through planning obligations. Draft SPG15 includes, in section 7, an assessment of the scheme against Circular 1/97. The Federation expressed similar concerns at the time of the Local Plan First Alteration Deposit, March 1998 and these were considered by the Local Plan Inspector who concluded:*

*“The funding system, as set out in the evidence, does not go beyond Government guidance on the subject (Circular 1/97), nor is it unfair because it applies to all development sites. Therefore, I do not support this part of Objection 1612.”*

*Objection 1612 related to the House Builders Federation. The validity of the policy and its associated mechanisms have, therefore, been tested and assessed in the public domain.*

*With regard to consistency with S106 SPG it is strongly believed that there is no inconsistencies. The SPG establishes, as stated elsewhere, that the policy, and associated mechanisms only aim to ensure that applicants are only being asked to address the needs arising from their own development; it is not, and should not, be aimed at addressing deficiencies. In numerous instances S106 SPG state that “advice on the scope and level of contribution required on a particular type or location of development will be set out in the Local Plan, Supplementary Planning Guidance or development briefs; SPG15 does this. There is no prioritisation established within the SPG; it merely highlights that recreation provision is also a justifiable consideration in development proposals. Policy AP103 is a material consideration but, as with any other contribution, if the developer can justify why they should not be expected to meet requirements in full then the District Council will consider such merits. This is addressed further later in the appendix. For the above reasons it is not thought there to be any conflict with the two SPGs.*

**Suffolk County Council Social Care Service** considers the SPG to provide a comprehensive strategy. The principle that “new housing developments...make appropriate provision” is readily supported. It seems likely that the strategy will “highlight the importance of outdoor playing space to the well being of individuals” –

an aim supported by the Service. Concern is expressed, however, that the strategy will not be effective in developing "provision throughout the District". The question is asked as to what will happen in those areas where there is minimal provision, little infrastructure and no housing development anticipated in the next few years.

**DOPL response:**

*The Strategy aims to establish a long term framework for the development of outdoor playing space provision throughout the District. However, it has to be accepted that policy AP103 and its associated SPG cannot address deficiencies alone. Developers can only be expected to provide for those needs arising from respective developments – not to address deficiencies already current within settlements. However, what the policy and SPG do is ensure that current deficiencies are not further exacerbated. It is dependant upon others, including Town/Parish Councils, the District Council and other organisations to work collectively, in partnership, to address existing current shortfalls.*

**FOREWORD**

The Ramblers' Association welcome and support the stated attempts to establish a comprehensive long-term framework for the development of outdoor playing space throughout the District, on a parish-by-parish basis.

**DOPL response:**

*Welcome the support.*

The House Builders Federation states that where, based on the Council's standards, provision in land area terms exceeds requirement, new development should not be expected to contribute to help fund improvements, unless it can be demonstrated that the existing facilities are incapable of meeting the development's own needs unless they are improved. Only needs arising directly from the development should be addressed. Improvements to address existing deficiencies in quality of provision should not be paid for by new developments unless such a direct relationship can be proven.

**DOPL response:**

*This is a principle that is well established throughout the draft SPG, including in the foreword. New housing development will only be expected to make appropriate provision for outdoor playing space required as a direct result of meeting the needs of that development. It not known how this could be made clearer in the SPG.*

**THE NEW APPROACH**

Flick and Son hope that in implementing the proposal the Council will distinguish between residential development taking place on a site large enough to be capable of providing playing space, as against small infill sites where the provision of playing space would be inappropriate. Due regard to the nature of the proposed development should be given when considering applications and that the policy should not have a detrimental impact on the success of planning applications for infill development and other small groups of residential properties standing in their own grounds, sufficient to give amenity to those properties for play space.

**DOPL response:**

*Due regard is given to the nature of the proposed development. The SPG does identify the need for different approaches to be taken between large scale residential development, where provision is best provided on site so that it serves the needs arising from that development, and those proposals where physical provision on site is not possible or appropriate. Chapter 5 of the draft SPG identifies that, generally, on-site provision will be expected in developments of 15 or more. Chapter 6 of the draft SPG deals with those situations where off-site provision is necessary and suggests in para. 6.3 that such instances would be where a development site is too small. This would include infill sites where it is accepted physical provision would be inappropriate.*

*With regard to properties that potentially have large gardens, it is suggested that this is not necessarily always infill development within villages. Irrespective of size of gardens it is important that play should not be considered as only an "individual" activity. Child's play should be about social inclusion, health and well-being for all children, creating a community resource. The SPG seeks to establish good quality outdoor play spaces that are easily accessible, thereby creating more sustainable communities.*

*In addition, it is also not only demand arising from children that the SPG concerns itself. It is also trying to address demand for youth and adult activities that obviously cannot be accommodated within a garden area.*

#### **ESTABLISHING RECREATIONAL REQUIREMENTS**

**The House Builders Federation** asks that actual occupancy rates be surveyed and monitored to see if the Council's approach is valid. Smaller households are an increasing trend and 1991 census data may well be out of date.

##### **DOPL response:**

*To establish the standard occupancy rate, and hence the playing space requirements, the District Council did use the census 1991. However, rather than adopting the occupancy rate as at 1991 the Council has taken a reduced occupancy rate for all units, including one bed and two bed units. This occupancy rate will be reviewed when the results of the 2001 Census are known. Monitoring, as suggested by the Federation, may be investigated for the interim period between censuses.*

**The House Builders Federation** states that the need for outdoor playing space provision is related to population increase. Where a development does not give rise to an increase (e.g. new occupants already resident in the locality) no need should arise.

##### **DOPL response:**

*Whilst there may, indeed, be internal movements within the district, and even perhaps within a Parish, such movements will eventually generate an additional household, and thereby, additional demands for recreational provision. It would not be possible for the Council to control the occupancy of all houses in a chain to ensure no additional demands arose. Where a development may not generate increased demand is in proposals for replacement dwellings (one for one). In such a case the Council will make an exception to the policy requirement.*

## **EXCEPTIONS TO STANDARDS**

**The House Builders Federation** is surprised at the inclusion of affordable housing in the requirement to provide funding for outdoor playing space as this will increase the cost of providing such housing, which is being subsidised by the public purse. The Council should decide where its priorities lie. However, as affordable housing meets existing household needs, does it actually lead to any increased need for playing space.

### **DOPL response:**

*The Council always has to balance its priorities. As affordable housing will generate new households and, thereby additional demands, then it is only equitable that these developments are, in the first instance, expected to contribute to meeting their needs. It is considered that the scheme proposed by the Council provides flexibility whereby financial contributions are not the only means of meeting needs arising. Through previous experience within the District, for example, at Badingham, it is evident that affordable housing and recreation provision can complement each other.*

**GO-East** notes the advice on exceptions to the Council's standard, but highlights that it does not include those sites referred to in paragraph B17-18 of Appendix B of Circular 1/97, where site preparation costs or other market factors create a situation where it would be unreasonable to expect a developer to be party to an obligation of normal standard. Provision for this category of exception should be made in this chapter of the SPG.

### **DOPL response:**

*The Council accepts that there may be situations where it may be unreasonable to expect a developer to be party to an obligation of normal standard. This should be addressed in the SPG. Amend text to include such a reference.*

## **OFF-SITE PROVISION OF OUTDOOR PLAYING SPACE**

**Sudbourne Parish Council** express a number of concerns regarding their responsibilities regarding whether the fund would cover the total cost of equipment, installation, protective play area surfaces, and maintenance; whether the need for supervision is contemplated, the procedure for acquiring the site, purchase cost and subsequent planning consent, the likely cost of insurance, particularly in light of recent "European regulations".

### **DOPL response:**

*Many of Parish Council's concerns, regarding what the Fund covers, is set out in the draft SPG: Section 6: Stage 8 "Bidding for the Fund". Once the SPG has been adopted by the District Council and funds begin to accumulate it is the intention to develop a pro forma application form for the bidding process which will be sent to Town/Parish Councils and other organisations, where requested. Such a form will provide an opportunity for this section of the SPG to be expanded and more fully explain what can be bid for. Supervision is not contemplated, as this should be a matter addressed in any designing of the play area. With regard to maintenance this is a matter already discussed in this report. It is acknowledged that maintenance will now need to be of a generally higher standard following recent European regulation.*

**The House Builders Federation** considers that the Council's assessment of existing provision by parish does not appear to have considered the age structure of the existing population or demand for the facilities. If demand/need is low, additional housing need not result in need that cannot be met by existing provision. **Chediston**

and Linstead Parish Council, whilst welcoming the recommendations in the SPG, question whether the number of houses is the best way to allocate the provision of playing areas when the number of children is the important factor. Attention is drawn to this year's census where the figures could provide the number of children within the area.

**DOPL response:**

*As is hopefully evident the Council has undertaken an extensive consultation exercise with regard to the Parish Outdoor Playing Space Strategy to ascertain the needs/demands of each respective parish. Such an extensive exercise has enabled the detailed Strategy to be formatted in such a way that it addresses the individual requirements of each Parish and has allowed Town/ Parish Councils and other organisations to highlight any particular concerns or thoughts as to the pertinence of improvements proposed. Profiles of settlements are constantly changing. Census details from 1991 are out of date. Certainly the Census 2001 will provide valuable information although this is unlikely to be available until 2003.*

*It is interesting to note that revised PPG17 includes reference to taking the needs of visitors in to account. Therefore, it may be that even in a village with an elderly population, for example, demands may arise for recreational equipment arising from, for example, visiting children.*

The House Builders Federation states that the detailed basis for the contributions proposed needs to be explained, justified and publicised. This should be reviewed annually to reflect changes in cost, up or down.

**DOPL response:**

*Paragraph 6.15 of the draft indicates how the estimated costs have been established. It is felt that this is sufficient to enable an appreciation of the level of detail examined in determining contribution levels. One element in the detail of costs omitted from paragraph 6.18 is for the management of the Fund. It is intended that a small element of the contribution made, up to a maximum of 7 percent will be used to assist the administration of the Outdoor Play Space Scheme. This should be identified in paragraph 6.15. Amend text accordingly. Paragraph 6.18 of the draft SPG indicates that these costs will be reviewed annually.*

The House Builders Federation states that if commuted sums do not result in provision within a reasonable timescale, which should be stated – say 5 years maximum – then the sum should be returned to the developer with interest. This should be written in to a legal agreement. The House Builders Federation requests that the Council review annually the funds reserved for outdoor space provision, and the Parishes' plans for using those funds. Such information should be publicised so that developers and the public can see that the scheme is being implemented properly.

**DOPL response:**

*Again this concern of the Federation is covered in paragraph 6.23 of the draft SPG where it states that if no appropriate provision can be made within a reasonable time period then it will be necessary to refund developers' contributions. Reference to appropriate interest is accepted. Amend text accordingly. It is hoped, however, that refunding of contributions will be very rare – the partnership established between the District Council and Town/Parish Councils will be important in this aspect, and the regular reviewing of the Strategy should ensure achievable proposals.*

*What constitutes a reasonable timescale will be established within the legal agreement. Five years maximum is not considered reasonable – the funds for most parishes will not accumulate rapidly and this needs to be appreciated. In addition the development of some schemes, for example, the provision of sports grounds, particularly when serving grouped parishes, may take time in the planning process as well as its implementation.*

*With regard to the publication of accumulated funds this is covered in Stage 7 of Chapter 6. This together with the regular review of the Strategy should address the concerns of the Federation.*

**Suffolk County Council** point out that the funding system does not appear to allow schools to bid from the fund, even though in many cases such sites are considered to contribute to the provision of outdoor play space. This is not logical. It is accepted that such contributions may need to be limited to reflect the particular circumstances of public use of such facilities. The needs of the school must come first and if wear permits, they can be hired out. However, when poor weather conditions predominate the school may not be able to allow any non-school use at all. It is arguably misleading to count school pitches as part of the overall provision of public play areas, as their use is of necessity restricted.

***DOPL response:***

*The deliberations of the County Council appear to explain in part as to why they are currently excluded from the fund. There currently appears to be no commonality in approach for dual use -undoubtedly explained by it being the responsibility of individual schools. However, the SPG is right to include such sites where dual use arrangements exist and this is, undoubtedly supported by revised PPG17 –draft consultation document which, like PPG17 (1991) supports dual use arrangements of this valuable community asset. However, the Council will need to be satisfied that, where included, such dual use arrangements are being delivered on the ground and can effectively meet the needs arising from new development throughout the year and not just on a seasonable basis. Monitoring arrangements need to be established. It is only after such monitoring that the District Council could realistically consider any financial funding from this scheme.*

**The House Builders Federation** states that the Council should demonstrate that it is actively encouraging dual use of facilities, monitor take-up and report annually.

**Felixstowe and District Council for Sport and Recreation** consider it would have been a relatively easy exercise to ascertain the extent of local publicity and the take-up in respect of the dual use of land within the educational sector.

***DOPL response:***

*Reference to dual use is made in the Local Plan (incorporating First Alteration). As part of the development of the strategy the Council has approached all educational establishments within the District, private and public, to ascertain their position regarding dual use. The Strategy reflects the current situation. The Council already has secured dual use arrangements of a number of schools and will continue to strive in those areas where dual use will significantly enhance local provision. The Council will need to monitor, as suggested, dual use arrangements, particularly their take-up by local organisations and the public at large.*

In small villages, **The House Builders Federation** argues that the Council should, in addition to considering the needs, also assess what the potential additions to populations are likely to be, based on commitments and plan policy, and show

whether funds are actually going to be accrued sufficient to make meaningful provision. If not they should not be sought in the first place.

**DOPL response:**

*The Outdoor Playing Space Strategy has tried to be realistic in identifying the improvements possible. However, it is accepted that where population increases will be limited over future years then other opportunities will also need to be sought, for example, lottery funding. It is important to realise that the contributions sought from developments will be able to bring forth other monies from alternative sources and will not, in the majority of cases, be the sole source for financing future play provision.*

**Darsham Parish Council** state that where contributions are sought then the resultant space provided should be within the parish where the housing is and not within a group of parishes. It is also requested that the money be "ring-fenced" and not put into central funds.

**DOPL response:**

*Agree with the sentiments of the Parish Council. Contributions can only be sought if subsequent provision addresses the needs arising from the new development. Therefore, the scheme does very much advocate the approach where the money has to be spent locally. With regard to children's play then this has to be provided within the respective parish in which the housing is located, unless a facility in an adjacent parish is easily accessible. With regard to sports ground provision then a grouping is necessary to reflect the need for larger catchment areas. Contributions will be placed in "parish pots" intended only for outdoor play space provision.*

**COMPLIANCE WITH GOVERNMENT ADVICE**

**GO-East** note that a number of policies and paragraphs within the SPG are couched in a mandatory form. Redrafting is requested in accordance with the policy and principles set out in Circular 1/97: Planning Obligations, which advises that it would be more appropriate for such provision to be sought by negotiation and voluntary agreement rather than compulsion. Where the draft SPG refers to requiring provision of playing space, **GO-East** suggest modifications through the attachment of a schedule.

**DOPL response:**

*The concerns of Go-East are noted and amendments to the text in a number of cases to conform to Circular 1/97 are accepted. The amendments proposed by GO-East do not affect the intent of the policy or the SPG. Amend text accordingly.*

## **APPENDICES:**

### **DRAFT DESIGN GUIDELINE FOR THE DEVELOPMENT OF PLAY AREAS**

**Wickham Market Parish Council** whilst commenting in detail on aspects of the Strategy state that it would be helpful if practical advice could be given on how to draw the proposed improvements in the Strategy together so that the best outcomes are obtained. Advice on funding sources, management of new schemes, ongoing maintenance and support from other agencies would go a long way in assisting Parish Councils to get the best for their communities.

#### **DOPL response:**

*Certainly the scheme is intended to be long term and, therefore, prioritising improvements will be important and should, wherever possible, be locally determined. The design guidelines, attached as an appendix to Outdoor Playing Space are to assist Town and Parish Councils in the management of their areas, not necessarily just new areas. Amendments are being proposed to these guidelines and it is possible that, in the short term, additions can be made which will address some of the concerns of the Parish Council. However, all of the aspects referred to by the Parish Council are worthy to be included in the guidelines but some will need further investigating prior to inclusion. These could be included at a later review. Amend guidelines accordingly.*

**Felixstowe Town Council** expressed concern that the Guidance should stress the importance of safety issues. Whilst the Guidance was considered helpful on this issue the Town Council requested that the statement that sites should preferably be overlooked should be strengthened to ensure the site and access are always overlooked. **Suffolk Constabulary Architectural Liaison Officer** identifies a possible contradiction with reference to play houses being "better used in secluded area" with the need for ensuring it is not secluded from view.

#### **DOPL response:**

*The comments regarding the safety of children are agreed. It is thought appropriate reference be made to the need for natural and casual surveillance. With respect to reference to play-houses the comments of the Architectural Liaison officer are noted. The Council intends to remove reference to this detailed piece of play equipment. If such a facility is proposed in any play scheme then the views of the Architectural Liaison Officer may be sought. Amend text accordingly.*

**Suffolk Constabulary Architectural Liaison Officer** states that equipment for young teenagers should, where possible, only be provided after consultation with the prospective end users.

#### **DOPL response:**

*Agree that by allowing young people to be part of the selection and decision making process they are more likely to regard any such facilities as theirs and, therefore, more likely to use it. Agree to amend guideline text accordingly.*

**A resident of Rushmere St. Andrew** is concerned that the potential for disturbance and inconvenience of play areas and pitches to local residents is given only token mention in the proposals. Sport can not be considered a quiet and civilised pastime. Other concerns are expressed regarding the supervision of children and the lack of accompaniment of children by adults. Whilst government is committed to dealing with noisy and anti-social neighbours there should also be protection for those living nearby sports facilities from excessive interference with their right to a reasonably quiet life.



**DOPL response:**

*The concerns expressed are appreciated. Such comments reinforce the need for play areas, if proposed as an integral part of a new development, to be given an early consideration and, certainly, established as part of a comprehensive layout. Where off-site playing facilities need to be developed then local consultation is important. This concern is addressed within the design Guideline.*

The following consultees had no comments to make:

Aldeburgh Town Council  
National Playing Fields Association

## APPENDIX 4

### **REPRESENTATIONS RECEIVED ON OUTDOOR PLAYING SPACE STRATEGY**

In total 51 representations have been received on the *Outdoor Playing Space Strategy*. These are listed as follows:

Aldeburgh Town Council  
Aldringham-cum-Thorpe Parish Council  
Badingham Parish Council  
Grouped Parishes of Benhall and Sternfield  
Bramfield and Thorington Parish Council  
Brightwell, Foxhall and Purdis Farm Parish Council  
Bucklesham Parish Council  
Butley, Capel St.Andrew and Wantisden Parish Council  
Campsea Ashe Village Hall and Grounds Committee  
Campsea Ashe Parish Council  
Darsham Parish Council  
Eyke Parish Council  
Farlingaye High School  
Felixstowe and District Council for Sport and Recreation  
Felixstowe Town Council  
Framlingham Town Council  
Great Bealings Parish Council  
Grundisburgh Parish Council  
Hasketon Parish Council  
Hemley Parish Meeting  
Hollesley Parish Council  
Hollesley Youth and Sports Association  
Huntingfield Parish Council  
Kesgrave Town Council  
Kesgrave War Memorial Community Centre  
Kettleburgh Parish Council  
Kirton Parish Council  
Knodishall Parish Council  
Leiston-cum-Sizewell Town Council  
Levington and Stratton Hall Parish Council  
Little Bealings  
Martlesham Parish Council  
Middleton Parish Council  
Nacton Parish Council  
Otley Parish Council  
Parham Parish Council  
Pettistree Parish Council  
Playford Parish Council  
Rendham Parish Council  
Sudbourne Parish Council  
Sweffling Parish Council  
Swiland and Witnesham Grouped Parish Council  
Thomas Mills High School  
Tuddenham St.Martin Parish Council  
Ufford Parish Council  
Westleton Barrel Fair Committee  
Westleton Parish Council  
Wickham Market Parish Council

Woodbridge Town Council  
Yoxford Parish Council

It is not intended to summarise the representations received. This is because they are of a detailed nature concerning various parish entries within the *Strategy*. However, a copy of all representations received has been placed in the Members Room.

The consultation exercise undertaken on the Strategy highlighted its draft nature and the need for a partnership approach with the Town and Parish Councils and others to ensure entries are correct. This approach appears to have been well received and representations have been positive, identifying additional areas, suggesting deletions or requesting for minor text changes. As a flavour of the representations received and to show the breadth of such comments, reproduced below are some of the written and verbal comments received to date. It is important that the *Strategy* is seen as an evolving document, continually being updated to reflect progress or deterioration on the ground.

**Examples of representation received:**

Framlingham Town Council query the extent to which Framlingham College playing fields are available for dual use. Contact with the College confirms that a smaller area than shown in the draft *Strategy* is actually available for dual use (the Astro turf and tennis courts). As a result, and because the College playing fields have been entered in the *Strategy* as being of district provision all parish entries throughout the strategy have to be recalculated to reduce, respectively, the smaller element of district-wide provision.

Butley, Capel St. Andrew and Wantisden Parish Council confirm that it would be beneficial to re-establish a tennis court at Butley. The Village Hall used to have a lease on the football pitch adjacent but this has now expired; it could be re-established if there was demand/interest we feel. With regard to play equipment it is noted that there is an excellent play area in Tangham Forest; also the village of Blaxhall has superior facilities. With regard to the play area at Butley there are swings; seesaw (replaced in last 2 years) and a large metal arch – potentially dangerous as very high. The Parish council are themselves considering improvement and will apply to SCDC for a capital grant by end of April 2001.

Ufford Parish Council report that with regard to children's play a scheme is currently being undertaken by a village organisation to improve the play facilities available at the Recreation Ground. It is hoped that the project will be completed by the end of the year.

Yoxford Parish Council identify Mulberry park as an additional children's play area where equipment for younger children may be provided.

Martlesham Parish Council note that in the description of Martlesham, part of the parish is described as "forming part of Woodbridge Town". This Council advises that this is incorrect. Again, in the assessment of Play Areas, a sentence towards the end states "That part of Martlesham within Woodbridge Town...". No part of Martlesham is within Woodbridge. Martlesham is a separate parish, the boundary meets that of Woodbridge, the same as all boundaries in the District, there is no overlap. It is requested that these statements are corrected. It is also requested that Martlesham Heath is not defined as a separate village, it is Heath area of Martlesham.