INTRODUCTION

1.1 This document is one of a series of guidance notes produced by the Borough Council and is intended to be used in conjunction with, and as a supplement to, the relevant policies contained in the adopted Congleton Borough Local Plan and emerging Congleton Borough Local Plan First Review, to govern the provision of public open space in areas of new residential development.

1.2 This document updates and replaces the previous Supplementary Planning Guidance Note 1 Provision of Public Open Space in New Residential Developments adopted in January 1994.

1.3 Policy RT5 of the Adopted Congleton Borough Local Plan states that “where residential planning consent is granted it will be a requirement that provision be made for public open space of an extent, quality, design and location in accordance with the Borough Council’s adopted standards”, and is intended to ensure that all developers of residential land are aware of the need to design and to implement their schemes in accordance with the appropriate standards of public open space provision.

1.4 Policy GR24 of the Revised Deposit Draft Congleton Borough Local Plan First Review reiterates this requirement but also indicates that in appropriate circumstances the Borough Council may accept a financial contribution to provide or improve facilities elsewhere in the locality in lieu of on-site provision – such payment to be calculated in accordance with the Borough Council’s adopted standards.

1.5 The Guidance Note is intended to inform prospective developers of the minimum level of public open space provision expected in respect of new residential developments. The exact level of provision will be a matter for negotiation between the developer and the Borough Council and will be secured by legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12 of the Planning and Compensation Act 1991).

1.6 The Borough Council will normally adopt areas of public open space required as part of any housing development by prior agreement with the developer, but in exceptional cases it is prepared to explore other mechanisms for the provision and maintenance of public open space such as management companies, trusts, charities or residents associations. Adoption of public open space by the Borough Council should not therefore be assumed and developers are advised to discuss their proposals with the Borough Council at an early stage in the planning process.

1.7 It is important to stress that only usable public open space will count against the defined requirement. The provision of any incidental or ornamental open space, roadside and walkway verges will be additional to the minimum open space requirement and will not be considered as public open space for the purpose of this guidance note. Furthermore, the Borough Council will not normally adopt such incidental areas of open space. In those exceptional circumstances where they are adopted by the Borough Council, then there will be a requirement for a commuted sum for maintenance.
THE PROVISION OF PUBLIC OPEN SPACE IN NEW RESIDENTIAL DEVELOPMENTS

2.1 For the purpose of this Guidance Note, the requirement for Public Open Space is divided into two distinct types:
- Informal Public Open Space
- Children’s Play Space

2.2 In those wards where there is a clear deficiency of open space provision, developers will be required to make appropriate provision in accordance with the requirements set out in this guidance note. Where there is not currently a deficit in terms of the amount of open space available locally question the Borough Council may, in appropriate circumstances, be willing to relax the requirement. In such instances the application will be considered on its individual merits taking account of the accessibility of the proposed development to existing open space provision, future demands for open space arising from the development in question and the quality of existing open space provision in the locality. Where there is no deficiency in provision but the existing Public Open Space requires improvement then a financial contribution will normally still be required. The Borough Council maintains a record of public open space within the Borough and Developers are advised to discuss their proposals with the Borough Council at an early stage

Informal Public Open Space

2.3 Almost all new housing developments will be expected to provide or contribute towards youth and adult needs in terms of outdoor informal public open space, or relaxation space.

Children’s Play Space

2.4 In cases where a developer proposes to build family housing on a site, there will be an additional requirement to provide children’s play space. This is further sub divided into provision for outdoor equipped play areas for children and areas for casual or informal play space within housing areas.

Details of the Borough Council’s requirements in respect of Informal Public Open Space and Children’s Play Space are set out in Table 1 of this guidance note.

Additional forms of Public Open Space

2.5 The Borough Council does not normally expect new housing developments to provide public open space for formal outdoor sports facilities. Exceptions may arise where such facilities are considered to be necessary to accommodate any shortfall in provision which is likely to occur as a result of the proposed development, or to replace any loss of such a facility arising from the development of a site.

2.6 There may also be occasions when areas of public open space will be required in association with a housing development as an addition to the minimum open space requirements outlined in this Guidance Note.

2.7 The requirement for any additional land will be at the discretion of the Borough Council and will be intended to compensate for any significant loss of amenity suffered as a result of new development going ahead for example, where development takes place on an existing recreational facility or area of public open space currently used by the community. Where such sites have been allocated in the current Local Plan, then reference is made to any requirements in the Development Proposals Chapter of the plan. Policy RC2 of the local plan deals with proposals resulting in the loss of identified protected areas of open space. The Borough Council will not normally adopt such areas of open space and the developer will be responsible for making appropriate arrangements to secure the future maintenance of the public open space which could be in the form of a transfer to a trust, a charity, a management company or residents association.

2.8 Such requirements are predominantly addressed on an individual basis or through identification in the local plan and this SPG does not therefore concern itself with the provision of such facilities.
THE LEVEL OF PUBLIC OPEN SPACE PROVISION EXPECTED IN NEW RESIDENTIAL DEVELOPMENTS

3.1 Calculation of the amount of Public Open Space required in respect of any proposed development is based upon the National Playing Fields Association (NPFA) 6-Acre Standard and the potential occupancy of dwellings proposed.

3.2 The basic requirements in respect of Public Open Space are set out in Table 1. The detailed calculation of this requirement and assumptions used are set out in Appendix 1.

3.3 The requirement for public open space provision will normally apply to all developments of 7 or more dwellings as detailed below. The assessment of public open space provision will be based on the full extent of the site that is capable of being developed for housing rather than any individual phases of development, in order to ensure that public open space is provided of an appropriate design for the site as a whole in terms of, quality, design and location.

Requirements for different forms of Development

3.4 It is recognised that different types of residential development may require different forms of public open space provision. Therefore, in formulating layout plans a developer will need to consider the following points regarding different types of development.

Single bedroom Dwellings.

3.5 For the purpose of this Guidance Note, dwellings that contain only 1 bedroom are not considered to be family housing and for these there is no requirement for children’s play space. **There is however a requirement for informal public open space provision for schemes comprising 7 or more dwellings**

New Family Dwellings

3.6 Family dwellings are those houses or flats having two or more bedrooms, and therefore bed spaces for at least one adult and one child. Proposals for 7 or more family dwellings will be expected to contribute towards the provision of both children’s play space and informal public open space in accordance with the requirements set out in Table 1, and as detailed below. The only exception to this relates to the conversion of upper floors to flats within town centres as detailed in paragraph 3.7 below.

- **Developments of 7-19 Family Dwellings**
  The Borough Council recognises that in smaller developments it will not always be practical or desirable to provide public open space within the development site. Where less than 20 dwellings are proposed, the Borough Council will therefore normally expect a financial contribution in lieu of the actual provision of Public Open Space on site. (See Section 4 and Annex 4 for further details)

- **Developments of between 20-49 Family Dwellings**
  Where the proposal is for 20 or more dwellings the Borough Council will normally require provision of public open space within or immediately adjacent to the site, to be provided as part of the development.

- **Developments of between 50-74 Family Dwellings**
  Where the proposal exceeds 50 dwellings there will be an additional requirement for the provision of children’s play equipment appropriate to a LEAP (Locally Equipped Area for play). (See Annex 5 for details)

- **Developments of 75+ Family Dwellings**
  Where the proposal exceeds 75 dwellings there will be an additional requirement for the provision of children’s play equipment appropriate to a NEAP (Neighbourhood Equipped Area for Play). (See Annex 5 for details.)

Flats

3.7 Proposals within town centres for the conversion of, for example, space above shops or offices to a single, or small number of flats, will not be required to make any contribution towards public open space provision.

3.8 In the case of all other conversions to flats, the requirement for public open space will be as detailed in 3.5 and 3.6 above. Where the proposal
relates solely to the conversion of existing buildings then the contribution will normally be in the form of a financial contribution in lieu of provision on site.

3.9 Where the flat development forms only part of a larger residential development then provision will normally be required on site. Communal or garden areas intended to serve residents of any flat developments will not be considered as public open space for the purpose of this guidance note.

Residential Institutions
3.10 Proposals for development involving residential accommodation for the care of people in need, hospitals and nursing homes, (which fall within Class C2 of the Town and Country Planning Use Classes Order) will not normally be required to provide public open space.

3.11 Developers will however be required to provide reasonable garden/sitting areas, possibly in the form of informal communal areas for use by the residents.

A summary of the differing requirements set out above is contained in Table 2.

CONTRIBUTION IN LIEU OF OPEN SPACE PROVISION

4.1 The Borough Council recognises that there may be circumstances where it is preferable for a developer to contribute towards the provision of new open space or to the improvement of an existing area of open space elsewhere in the locality, rather than to provide it on-site.

4.2 Such instances are at the discretion of the Borough Council but would normally apply to:

- proposals for the conversion of existing properties to residential use, and flat developments, and
- to sites of less than 20 dwellings, where recreational facilities exist elsewhere in the locality.
- proposals where there is no local deficiency in the amount of open space available but where the existing public open space requires improvement.

In such instances it is anticipated that the occupiers of these developments would be in a position to use other existing areas of public open space. However, in smaller settlements where there are no existing facilities within the locality, the Borough Council may require provision on site.

4.3 In other instances, where the new development is contiguous with or enjoys easy and safe access to an existing or proposed off-site area of public open space the developer may be given the option, at the discretion of the Borough Council, to either enhance an existing public open space in the settlement or else provide a new open space facility in an appropriate location elsewhere in the settlement which may possibly serve several residential areas, preferably where it has been acknowledged that a deficiency of such provision exists. (Provision of off-site open space may be considered acceptable only where an appropriate site is available in a location of direct benefit to the residents of the proposed development and of a reasonably related scale and kind to the development proposed.)
4.4 As this would be an alternative to the provision of open space within the site the Borough Council would require a financial contribution from the developer towards capital and maintenance costs to equate to that which would have been incurred had open space been provided within the development site itself. For developments in excess of 50 dwellings a contribution would also be required for play equipment, which would otherwise be required on site.

The basis for determining the contribution in lieu of open space provision is set out in Annex 4.

4.5 A financial contribution in lieu of provision of part of the open space requirement may be acceptable in appropriate circumstances, at the discretion of the Borough Council, where reasonable provision already exists in the locality.

4.6 The timing of any payment in lieu of open space provision will be subject to agreement by the Borough Council and will be by legal agreement linked to commencement of development on site or may be by voluntary payment prior to the issuing of any planning permission.

4.7 Some financial contributions may not in themselves be adequate to bring about immediate improvements in the provision of public open space, and in such instances funds may be held until added to by additional financial contributions to enable the necessary improvements.

4.8 Subject to 4.7 financial contributions will normally be spent within 5 years of receipt by the Borough Council, with the exception of that part of the contribution relating specifically to ongoing maintenance.

4.9 The vast majority of any financial contribution made in lieu of provision will be spent on providing or improving provision within approximately half a mile of the site. In appropriate circumstances a small percentage of the contribution may also be made towards the improvement of more central strategic sites which serve the development.

4.10 Financial contributions will only be used for improvements to provision. They will not be used for more general purposes such as to cover maintenance or running costs of existing facilities except for that element of the contribution specifically intended for maintenance purposes. Examples of improvements may include:

- Acquisition of new sites for public open space provision;
- Laying out new children’s play areas or informal open space;
- Extending or improving existing facilities;
- Provision of new play equipment;
- New planting/landscaping;
- Additional Seating.

4.10 Developers should be aware that a financial contribution in lieu of public open space as part of a development normally requiring on site provision will only be considered in exceptional circumstances and will be subject to the prior agreement of the Borough Council. Developers are therefore urged to discuss their proposals with the Borough Council at an early stage to avoid any unnecessary delay in determining their application.

THE LOCATION OF PUBLIC OPEN SPACE IN NEW RESIDENTIAL DEVELOPMENTS

5.1 The exact siting of public open space and in particular children’s playgrounds and play spaces within new residential developments shall form the subject of early discussions with the Borough Council.

5.2 In formulating layout plans the following points need to be considered:

- The open space should normally be provided in a single, preferably central location, and not as fragmented areas of incidental space.
- The open space should be easily accessible by safe footpath routes from all parts of the residential development it is intended to serve, in order to
promote maximum use. This is of particular relevance to areas intended for use by children.

- Playgrounds and play spaces must be within 0.4km (0.25 mile) of each home, unless exceptional circumstances agreed by the Borough Council require otherwise, and users of the facility should not have to cross a major, or busy road to reach the area.

- There should be a number of dwellings orientated in such a way that they overlook the open space, particularly if the site contains a children's play area.

- The open space should not adjoin a main road or estate distributor road, which is expected to carry a significant amount of traffic.

- Where possible the open space should enjoy a varied relief, exploit the potential offered by existing or proposed water or landscaping features, and should be located close to, or around public footpaths or strong pedestrian “desire” lines.

- The open space should be located such that it allows for easy access by maintenance vehicles where necessary.

- Open space provision should be carefully located, laid out, and screened so as to minimise any potential nuisance created as a result of children's play affecting future adjacent properties and their occupants. Where it abuts rear gardens there should be a 2 metre high close-boarded fence between the open space and the gardens. The ownership of the fence and responsibility for maintenance thereof, should then be conveyed with the particular adjacent properties.

THE QUALITY AND DESIGN OF OPEN SPACE PROVISION REQUIRED IN NEW RESIDENTIAL DEVELOPMENTS

6.1 The location of public open space shall be clearly marked on the layout plans submitted as part of a planning application. The Borough Council also advises developers that areas intended for public open space purposes and associated play areas should be indicated on all plans prepared in connection with advertising, sale particulars etc. or otherwise ensure that all purchasers of dwellings on new residential developments are made aware of the location of such areas, in order to avoid future anxieties or conflicts arising due to their location.

6.2 Where it is intended that the open space provision should be dedicated to the Borough Council (subject to the conditions outlined later in this guidance note) it will be a further condition of acceptance by the Borough Council of such an area, that it is handed over in a satisfactory condition, with an acceptable quality and depth of soil, and that it has not been used during the site development period for the storage of fuel, oil, building materials or plant machinery, or for the siting of temporary site accommodation other than in exceptional circumstances by prior agreement with the Borough Council.

6.3 Site traffic should be excluded from the open space area by means of temporary fencing, to be erected and maintained throughout the whole period during which site development works are taking place other than in exceptional circumstances by prior agreement with the Borough Council.

6.4 Public open space, which is provided as part of a new residential development, should cater for all the local recreational needs of that development, its future residents and their visitors. In order to meet basic qualitative requirements, the provision of all, or a combination of the following should be considered and may be required to be provided by the Borough:

(i) In the case of playgrounds or play space:

- Basic play equipment to at least BSEN 1176 (or subsequent) appropriate to the scale of development proposed (See annex 5). Play Equipment should
be obtained from a supplier on the Borough Councils Select List;
- safety surfacing under equipment to at least BSEN 1176 (or subsequent)
- dog-proof fencing
- seating
- litter bins
- seating for accompanying adults
- signage with information relating to the Borough Council’s management

(ii) In the case of general amenity areas of public open space for recreational use a full landscaping scheme will normally be required, which should include:
- variation in levels
- surfacing of the site with turf or grass seeded
- seating provision
- railing/fencing around the site, with appropriate access points
- litter bins
- planting
- land drainage where appropriate
- pathways in suitable hard materials
- signage relating to the control of dogs

6.5 The design of the public open space will normally be undertaken by the developer and will reflect the particular needs of the development and the guidance contained in Annex 2 of this guidance note. Where there are existing landscape features on the site, which are important in their own right or are of nature conservation interest, they should wherever possible be retained and incorporated into the proposed layout.

6.6 It is advised that discussions are held with the Borough Council prior to commencing design work in order to establish the particular requirements for each scheme in relation to facilities already existing in the locality, and the proposed implementation of the scheme.

IMPLEMENTATION

7.1 The development costs of such public open space provision as detailed above will be borne by the developer who will also be responsible for the implementation of the scheme.

7.2 The developer will be required to complete construction of the open space prior to completion and occupation of 50% of the proposed dwellings in the development except in exceptional circumstances where physical or technical reasons require otherwise, by agreement with the Borough Council. In such instances the Borough Council will require the developer to enter into an appropriate performance bond.

7.3 Upon completion of the construction of the area of public open space to the standards as discussed the developer may, by prior agreement, transfer the area of public open space to the Borough Council, which will, following a 12 month maintenance period by the developer, take over the responsibility for maintenance of the area, in perpetuity after transfer.

FUTURE MAINTENANCE

7.4 Prior to transfer to the Borough Council, the developer will be required to pay a commuted sum to cover maintenance for a twenty-five year period, to secure or provide for the long-term management and maintenance of the area. The sum involved will depend upon the details of the scheme and maintenance rates at the time of transfer, as determined by the Borough Council.

The basis for calculating the sum of maintenance is set out in Annex 3.

7.5 Alternatively the Borough Council may, at its discretion, agree to accepting the transfer of land allocated for public open space, before it has been laid out or landscaped subject to the payment by the developer of a commuted sum to cover such costs and to cover maintenance costs for a twenty five year period. The sum involved will be subject to negotiation with the Borough Council.
7.6 Should the Borough Council choose not to adopt the land, then the developer will be responsible for making appropriate arrangements to secure the future maintenance of the public open space. This could be in the form of a transfer to a trust or charity, or to a residents association.

7.7 In any event the Borough Council will require the owner to enter into a legal agreement in respect of ongoing maintenance and responsibility for the public open space. This will normally include:

- Details of all financial contributions required, including timing of payment based on occupation of dwellings, and arrangements for applying interest to any overdue payment;
- Owner to undertake all necessary works, (e.g. drainage, landscaping, fencing, seeding, planting, provision of footpaths, cycleways, lighting and safety barriers) in accordance with plans to be approved by the Borough Council;
- Details of mechanism by which the Final Certificate will be issued by the Borough Council, to certify that works completed to a satisfactory standard, including timing, based on occupancy of dwellings;
- Owner to maintain area for a twelve-month period following issue of the Final Certificate and to replace any new planting which dies or fail to thrive.
- Owner to ensure that no builders debris or other forms of contamination is imported onto, in or under the Public Open Space, that all works are carried out in a good and workmanlike manner, and that all materials used are of good quality, to the satisfaction of the Borough Council.

7.8 Where the Public Open Space is to be transferred to a management company or other private arrangement a covenant will also be required between the Management Company and the Borough Council, requiring the Management Company to maintain the public open space to a reasonable standard and in accordance with a management plan prepared by or on behalf of the Management Company and previously approved in writing by the Borough Council.
ANNEX ONE

CALCULATION OF THE MINIMUM OPEN SPACE STANDARDS FOR NEW RESIDENTIAL DEVELOPMENTS.

The Borough Council does not normally expect new housing developments to provide public open space for Youth and Adult Use Outdoor Sports Facilities. However, the Borough Council does expect a developer to contribute towards youth and adult needs in terms of outdoor informal public open space, or relaxation space. In cases where a developer proposes to build family housing on a site, there will be an additional requirement to provide children’s play space.

The calculation of public open space requirement is based on;

\begin{itemize}
\item[a)] 0.8 ha per 1000 population for children’s play space in respect of family dwellings (Based on the National Playing Field Association’s (NPFA) "6 Acre Standard"), and 0.8 ha per 1000 population for informal public open space for youth and adult use.
\item[b)] The following assumed potential occupancy of dwellings;
\end{itemize}

\begin{align*}
1 \text{ bed dwelling} &= 1 \text{ person} \quad (100 \times 1 \text{ bed dwelling} = 100 \text{ people}) \\
2 \text{ bed dwelling} &= 2 \text{ people} \quad (100 \times 2 \text{ bed dwelling} = 200 \text{ people}) \\
3 \text{ bed dwelling} &= 3 \text{ people} \quad (100 \times 3 \text{ bed dwelling} = 300 \text{ people}) \\
4+ \text{ bed dwelling} &= 3.5 \text{ people} \quad (100 \times 4 \text{ bed dwelling} = 350 \text{ people})
\end{align*}

CALCULATION OF INFORMAL PUBLIC OPEN SPACE REQUIREMENT

Using the above standards the calculation of Informal Public Open Space is as follows:

\begin{align*}
\text{1 bed dwelling} &= \frac{100}{1000} \times 0.8 \text{ ha} = \frac{0.08 \text{ ha}}{100 \text{ dwellings}} = 0.8 \text{ sq.m per dwelling} \\
\text{2 bed dwelling} &= \frac{200}{1000} \times 0.8 \text{ ha} = \frac{0.16 \text{ ha}}{100 \text{ dwellings}} = 1.6 \text{ sq.m per dwelling} \\
\text{3 bed dwelling} &= \frac{300}{1000} \times 0.8 \text{ ha} = \frac{0.24 \text{ ha}}{100 \text{ dwellings}} = 2.4 \text{ sq.m per dwelling} \\
\text{4+ bed dwelling} &= \frac{350}{1000} \times 0.8 \text{ ha} = \frac{0.28 \text{ ha}}{100 \text{ dwellings}} = 2.8 \text{ sq.m per dwelling}
\end{align*}
CALCULATION OF CHILDREN'S PLAY SPACE

The National Playing Field Association’s (NPFA) "6 Acre Standard", recommends 0.8 ha per 1000 population for children’s play space in respect of family dwellings of which

0.3 ha, per 1,000 population is to be provided for outdoor equipped play areas for children
0.5 ha. Per 1,000 population is to be provided for Casual or informal play space within residential areas

Using the above standards the total Children’s Play Space required in respect of family dwellings is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Outdoor Equipped area</th>
<th>Informal Play Space</th>
<th>Total Children’s Play Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bed dwelling</td>
<td>6 sq.m</td>
<td>10 sq.m</td>
<td>16 sq.m per dwelling</td>
</tr>
<tr>
<td>3 bed dwelling</td>
<td>9 sq.m</td>
<td>15 sq.m</td>
<td>24 sq.m per dwelling</td>
</tr>
<tr>
<td>4+ bed dwelling</td>
<td>10.5 sq.m</td>
<td>17.5 sq.m</td>
<td>28 sq.m per dwelling</td>
</tr>
</tbody>
</table>

(Family dwellings relate to those properties with 2 or more bedrooms, excluding properties specifically restricted to elderly person’s accommodation.)
ANNEX TWO

ADVICE ON LANDSCAPE TREATMENT OF PUBLIC OPEN SPACE AREAS

Planting design for public open space should be part of the overall landscape design for the development and should be undertaken in a competent manner, to the satisfaction of the Borough Council.

The long-term implication of maintenance is an important consideration and as a general rule schemes should be designed to have a low maintenance requirement wherever possible.

Grassed Areas
Whilst grass may be a relatively cheap form of landscape treatment to establish it can be expensive to maintain in the long-term.

Areas of grass should have a purpose and the seed/species mix will vary according to the site and anticipated use.

Ease of access for mowing machinery should be taken into account - a steep slope or a tight corner can be difficult and dangerous to mow. Carpeting ground cover plants may be a more practical solution.

Tree and Shrub Planting
Individual site conditions such as soil type, drainage and degree of exposure will influence the choice of species of trees and shrubs on a site. The use of native British species should be favoured where appropriate.

All plant material should be nursery grown and exactly true to name. The density of planting and size of plants selected will vary but the design aim should be to establish a dense canopy of vegetation which will shade out weed growth and minimise long-term maintenance costs.

Execution of Landscaping Works
All landscaping works should be executed by an experienced landscape contractor, in accordance with the relevant British Standards.
ANNEX THREE

COMMUTED SUM FOR MAINTENANCE

The commuted sum for 25 years maintenance will be based on the costs (at current prices) to the Borough Council of maintaining the particular site and any play equipment or facilities thereon, and will include an allowance for overheads and administration costs, not exceeding 10% of the maintenance works.

Costs for the various types of work will be aggregated to give a total annual cost.
ANNEX FOUR

BASIS FOR CONTRIBUTION IN LIEU OF OPEN SPACE PROVISION

a) Site of less than 7 dwellings.
On sites of less than 7 dwellings there is no requirement for public open space provision.

b) Sites of 7 or more dwellings.
The size of the contribution should be related to the number of dwellings on the site and will reflect the "added" value of the site to the developer who will, as a result of not providing on-site public open space, have an additional area of land available for development. The Borough Council considers that in order for a developer to consider this option it would be unrealistic to expect a contribution for the full amount of the "added" value. A contribution in the region of 80% will therefore apply. This "added" value should not only reflect the added value of the additional land being released for development but also the cost the developer would have spent on laying out the land and the commuted sum for maintenance.

The formula for calculating the contribution is: \[ \frac{A \times C \times D}{B} = E \]
Where: -
- \( A \) = total open space requirement (metres)
- \( B \) = total area of site (metres)
- \( C \) = site value (£)
- \( D \) = % of "added" value (80%)
- \( E \) = contribution in respect of the site (£)

Added to this would be any financial contribution required in respect of maintenance (See Annex 3) and provision of equipment (See Annex 5)

E.g.: 20 dwellings comprising 10 x 2 bed dwellings and 10 x 4 bed dwellings, on a 2 acre site, value £400,000 per acre.

\[ \begin{align*}
A: \text{ Public Open Space Requirement} &= 880 \text{ sq.m} \\
&\text{i.e. } 10 \times (16\text{sq.m informal} + 16 \text{sq.m playspace}) = 320 \text{ sq.m}, \\
&\text{plus } 10 \times (28 \text{sq.m informal} + 28 \text{sq.m playspace}) = 560 \text{ sq.m} \\
B: \text{ Site area} &= 8000 \text{ m} \\
C: \text{ Site value} &= £800,000 \\
D: \% \text{ of added value} &= 80\% \\
\end{align*} \]

Calculation:

\[ \frac{880 \times 800,000 \times 0.8}{8000 \times 10} = £70,400 \text{ contribution} \]

(plus maintenance and provision of equipment)
PARTIAL CONTRIBUTION IN LIEU:

Where a developer is proposing to provide a contribution in lieu of only part of the open space requirement, the amount of public open space to actually be provided by the developer is subtracted from the total open space requirement (A) in the above calculation.

Any contribution in lieu of maintenance and provision of equipment is likewise calculated on a pro rata basis.
ANNEX 5

PROVISION OF PLAY EQUIPMENT

All developments in excess of 50 dwellings will be required to provide an equipped play area as part of the public open space requirements.

**Developments of between 50-74 Dwellings**

In addition to the requirements set out in paragraph 6.4, developments of between 50 and 74 dwellings will also be expected to provide facilities appropriate to the NPFA Locally Equipped Area for Play (LEAP) category. The Borough Council will require:

- At least 5 types of play equipment/activity, appropriate primarily for children between 2 years and nine years of age
- Well drained grass or suitably surfaced playing space
- Perimeter fencing including measures to exclude dogs
- Seating for accompanying adults
- Adequate safety measures

**Developments of 75 dwellings and above.**

In addition to the requirements set out in paragraph 6.4 developments greater than 75 dwellings, will also be expected to provide facilities appropriate to the NPFA Neighbourhood Equipped Area for Play (NEAP) category. The Borough Council will require:

- At least 8 types of play equipment/activity appropriate for children between 2 and 15 years of age.
- Well drained grass or suitably surfaced playing space
- Perimeter fencing including measures to exclude dogs
- Seating for accompanying adults
- Adequate safety measures

All play equipment and surfacing, its installation, will be required to comply with relevant British Standards. It should be obtained from a supplier on the Borough Council’s Select List of Suppliers.

*Developers are advised to discuss their proposals with the Borough Council at the earliest possible opportunity.*

*Any financial contribution in lieu of these facilities will be required to take into account the full cost of the above.*
### TABLE 1

**SUMMARY OF PUBLIC OPEN SPACE REQUIREMENT**

<table>
<thead>
<tr>
<th></th>
<th>INFORMAL</th>
<th>CHILDRENS PLAYSPACE</th>
<th>TOTAL REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>POS</td>
<td>Total ( Equipped Casual )</td>
<td></td>
</tr>
<tr>
<td>1 bed dwelling</td>
<td>8 SQ.M</td>
<td>NO REQUIREMENT</td>
<td>8 sq.m per dwelling</td>
</tr>
<tr>
<td>2 bed dwelling</td>
<td>16 SQ.M</td>
<td>16 SQ.M ( 6 SQ.M 10 SQ.M )</td>
<td>32 sq.m per dwelling</td>
</tr>
<tr>
<td>3 bed dwelling</td>
<td>24 SQ.M</td>
<td>24 SQ.M ( 9 SQ.M 15 SQ.M )</td>
<td>48 sq.m per dwelling</td>
</tr>
<tr>
<td>4+ bed dwelling</td>
<td>28 SQ.M</td>
<td>28 SQ.M ( 10.5 SQ.M 17.5 SQ.M )</td>
<td>56 sq.m per dwelling</td>
</tr>
</tbody>
</table>

### TABLE 2

**SUMMARY OF OPEN SPACE REQUIREMENTS**

<table>
<thead>
<tr>
<th></th>
<th>INFORMAL OPEN SPACE</th>
<th>CHILDRENS SPACE</th>
<th>EQUIPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 BEDROOM DWELLINGS</strong></td>
<td>Contribution in lieu</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td><strong>FAMILY DWELLINGS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7-19 Dwellings</td>
<td>Contribution in lieu</td>
<td>Contribution in lieu</td>
<td>None</td>
</tr>
<tr>
<td>20-49 Dwellings</td>
<td>Provision on site</td>
<td>Provision on site</td>
<td>None</td>
</tr>
<tr>
<td>50-74 Dwellings</td>
<td>Provision on site</td>
<td>Provision on site</td>
<td>To LEAP standard</td>
</tr>
<tr>
<td>75 plus Dwellings</td>
<td>Provision on site</td>
<td>Provision on site</td>
<td>To NEAP standard</td>
</tr>
<tr>
<td><strong>FLATS IN TOWN CENTRES</strong></td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td><strong>CONVERSION TO FLATS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>As per dwellings above; normally financial contribution in lieu of on-site provision</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FLATS (AS PART OF LARGER RESIDENTIAL DEVELOPMENT)</strong></td>
<td>As per dwellings above; normally provision on site required</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>RESIDENTIAL INSTITUTIONS</strong></td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>