

Cyngor Bwrdeistref Sirol



SPG05

Outdoor Recreation Facilities
and
New Housing Development
(2022)

Bridgend County Borough Council
Civic Offices
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SPG 5

**OUTDOOR RECREATION FACILITIES AND NEW HOUSING
DEVELOPMENT (2022)**

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The purpose of this Supplementary Planning Guidance (SPG) is to expand on the Council's existing planning policy on outdoor recreation facilities contained within the adopted Local Development Plan. It outlines how the Council will, where appropriate, seek planning obligations to provide or enhance outdoor recreation facilities as part of new residential developments throughout the County Borough of Bridgend. This document has been formulated as a result of close cooperation between the various different functions of the Communities Directorate of the Council, all of which will be involved in the negotiation for the delivery of outdoor recreation space through the planning system.

This SPG will be a material consideration in the determination of all planning applications for residential development including applications for renewal of consents.

The Council would urge anyone seeking to submit an application for residential development within the County Borough to consider this SPG and to contact the Local Planning Authority in advance of submitting an application to discuss the issues that are raised in this document on a site-specific basis.

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1. INTRODUCTION

- 1.1 This Supplementary Planning Guidance (SPG) document explains in detail the Council's approach to the provision of outdoor sport, children's playing space, allotments and public open space (including accessible natural green space) for all new housing developments and how Policy COM11 of the Bridgend Local Development Plan (LDP) will be implemented. The SPG encourages links between the provision of open space sought under Policy COM11 and its contribution to green infrastructure in Bridgend. Once adopted its contents will be taken into account as a material consideration in the determination of relevant planning applications.

2. BACKGROUND CONTEXT

- 2.1 Recreational spaces are vital for our health, well-being, amenity and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life and are a key ingredient of 'place making'. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Bridgend and Wales.
- 2.2 Bridgend County Borough Council (BCBC) receives a high number of applications each year for new housing development. These new residents create a demand for the improvement of existing and the provision of new recreational facilities. To meet this demand Policy COM11 of the LDP requires the provision of a satisfactory level and standard of outdoor sport, children's playing space, allotments and public open space (including accessible natural green space) for all new housing developments.
- 2.3 In cases where proposed new development may result in the loss of existing or proposed open space on a site Policy COM7 of the LDP, (which aims to protect existing and proposed social and community facilities) may require equivalent alternative provision elsewhere or enhancement of the existing facility. This may be secured by means of planning agreement/obligation in accordance with Policy SP14 of the LDP.
- 2.4 The Council urges anyone intending to submit an application for residential development within the County Borough to read this SPG. To discuss any issues on a site-specific basis they may contact BCBC in advance of making a planning application for pre-application discussions on the details provided. The Council encourages and welcomes enquiries and requests for advice before an application is submitted. (Further details of how to access this service can be found on the BCBC website).

3. LEGISLATION AND POLICY CONTEXT

- 3.1 **Well-Being of Future Generations Act (Wales) 2015:** The Well-Being of Future Generations Act (Wales) 2015 is a key piece of legislation which aims to further improve the social, economic, environmental and cultural well-being of Wales now and in the longer term. The Act puts in place a ‘sustainable development principle’ which is a duty for public bodies to “act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”. The Act is underpinned by seven well-being goals, which public bodies must work to achieve (a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language and a globally responsible Wales).
- 3.2 **Environment (Wales) Act, 2016:** The Environment (Wales) Act puts in place the legislation needed to plan and manage Wales’ natural resources in a more proactive, sustainable and joined-up way. It requires Natural Resources Wales (NRW) to report on the principality’s natural resources and detail their ability to respond to pressures and adapt to climate change. Therefore, NRW published the State of Natural Resources Report (SoNaRR) in 2016. The Environment (Wales) Act 2016 provides a context for the delivery of multi-functional green infrastructure. Its provision can make a significant contribution to the sustainable management of natural resources, and in particular to maintaining and enhancing biodiversity and the resilience of ecosystems in terms of the diversity between and within ecosystems and the extent, condition and connectivity of ecosystems and their ability to adapt. This means that the development of green infrastructure is an important way for local authorities to deliver their Section 6 duty.
- 3.3 **Planning Policy Wales (PPW) – Edition 11 (February 2021):** PPW states that planning authorities should provide a framework for well-located, good quality sport, recreational and leisure facilities, and develop clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities. These policies should set standards of provision, so that local deficiencies can be identified and met through the planning process and set out policies to avoid or resolve conflict between different activities.
- 3.4 PPW emphasises that formal and informal open green spaces should be protected from development, particularly in urban areas where they fulfil multiple purposes. As well as enhancing quality of life, they contribute to biodiversity, the conservation of the historic environment, nature and landscape, better air quality, the protection of groundwater and as places of tranquillity. Such open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce the effects of urban heat islands. Many parks and gardens are historically significant and are listed in the Historic Parks and Gardens in Wales Register.
- 3.5 All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:

- facilities can best be retained and enhanced through the redevelopment of a small part of the site;
 - alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or
 - there is an excess of such provision in the area.
- 3.6 PPW states that planning authorities should protect playing fields and open spaces which have significant amenity or recreational value to local communities from development. They should indicate the ways in which previously developed or disused land and water bodies can be used for sport and recreation uses, particularly in relation to urban regeneration.
- 3.7 Planning authorities should also encourage the multiple use of open space and facilities, where appropriate, to increase their effective use. 'Beyond the Six Acre Standard', produced by Fields in Trust (FIT), is a source of helpful advice to planning authorities on providing open space and outdoor sport and play through the planning system.
- 3.8 Planning authorities should consider scope to use disused land and routes as parks, linear parks or greenways in urban areas and encourage the provision of safe and attractive cycle routes and footpaths. Where recreational use of redundant railway lines or spaces alongside canals or rivers is proposed, planning authorities should ensure that there is no detriment to adjoining users, wildlife or flood defences.
- 3.9 PPW is supplemented by a series of Technical Advice Notes (TANs) including **TAN 16: Sport, Recreation and Open Space (2009)**: TAN 16 provides guidance designed to supplement policy set out in PPW. It gives additional advice on the role of the planning system in making provision for sports, recreation and informal open space. It offers instructions on planning for sports and recreation uses as well as appropriate levels of provision.
- 3.10 There are no statutory national standards for the provision of sport, recreation and open space in Wales. Paragraph 2.9 to 2.11 of TAN 16 identifies the Field in Trust (FIT) 'Benchmark Standards' for outdoor sport and play as being helpful to local authorities. The standard recommends a minimum level of outdoor space of 2.4 hectares per 1,000 head of population. The standard is categorised into three types of provision; formal outdoor sport, informal play space and designated equipped play space. Further definitions on these three categories are provided later.
- 3.11 Paragraph 2.18 of TAN 16 notes that Natural Resources Wales (NRW) has developed a toolkit to help ensure everyone in Wales has access to natural greenspace. The toolkit recommends that provision should be made for at least 2ha of accessible natural greenspace per 1,000 population, that no one should live more than 300 metres from their nearest natural greenspace. While this SPG does not formally address the provision of accessible natural greenspace, it will look to encourage new open spaces that have the potential to contribute to both standards through the introduction of multifunctional spaces.

- 3.12 TAN 16 states that local authorities should undertake an Open Space Assessment covering all forms of open space provision in order to provide a basis for establishing a strategic vision. It is acknowledged that this SPG is more focused in its scope than an Open Space Assessment. This is considered to be the most appropriate way forward and is in line with paragraph 2.29 which states local authorities 'should not delay work on the preparation of local development plans where an assessment is not available. Instead, they should make use of information which is to hand, and in which they have confidence'.
- 3.13 Paragraph 4.15 of TAN 16 states that planning conditions and obligations can be used to provide open space, sport and recreational facilities in order to safeguard and enhance existing provisions and to provide for their management.
- 3.14 **National Development Framework (NDF) - Future Wales: The National Plan 2040 (February 2021):** The NDF outlines how as the population of Wales becomes increasingly urban, the opportunity to optimise well-being benefits from green infrastructure will be greatest in and around these areas. Innovative use of nature-based solutions and integrating green infrastructure in and around urban areas can help restore natural features and processes into cities and landscapes.
- 3.15 The NDF emphasises that providing locally accessible, high quality green spaces and corridors helps to maintain and enhance the strategic functioning of our natural resources and ecological networks and address physical and mental well-being. The real-life importance of urban green spaces was demonstrated when people were restricted to taking exercise in immediately local green spaces during the Covid-19 lockdown.
- 3.16 The NDF states that local authorities must work together and, along with Natural Resources Wales and stakeholders, provide green infrastructure and safeguarding sites within and beyond their administrative boundaries. Safeguarded areas and any specific allocations should be identified through the Green Infrastructure Assessment and set out in the relevant development plan.
- 3.17 **Bridgend Public Services Board Local Well-being Plan 2018 – 2023:** The Well-being Plan outlines how that Bridgend Public Service Board will work together over the next five years to deliver the seven wellbeing goals for Wales as referenced in the Wellbeing of Future Generations (Wales) Act. The Plan is framed around the sustainable development principle and focusses on addressing the underlying causes of problems and helping to prevent them worsening or occurring in the future. Four well-being objectives have therefore been developed, which are:
1. Best start in life
 2. Support communities in Bridgend County to be safe and cohesive
 3. Reduce social and economic inequalities
 4. Healthy choices in a healthy environment
- 3.18 This plan recognises the importance of improving green spaces and the contribution these assets can provide to help improve people's health and wellbeing.

3.19 **Bridgend Local Development Plan (2006-2021):** The Bridgend LDP sets out the Council's land use planning policies up to 2021. Relevant policies include:

3.20 **Policy COM11 – Provision of Outdoor Recreation Facilities:** reflects the guidance set out in TAN 16 and the Fields in Trust (FIT) 'Benchmark Standards'. New residential developments are required to adhere to the minimum 2.4 ha of various forms of outdoor play space per 1,000 population. Other Policies of particular relevance include:

- Strategic Policy SP13 – Social and Community Facilities
- Policy COM7- Protection of Social and Community Facilities
- Policy ENV5 - Green Infrastructure
- Policy COM12 - Provision of Playing Fields
- Policy COM14 - Provision of Allotments and Community Food Networks
- Policy ENV6 - Nature Conservation

4. PUBLIC RECREATION AND OPEN SPACE – DEFINITIONS AND STANDARDS

- 4.1 The Council's adopted minimum standard of 2.4 hectares per 1,000 population for open space, sport and recreation is derived from the FIT minimum 'Benchmark Standards' for outdoor sport and play. This builds on the 'Six Acre Standard' established in the 1930s. It is the only nationally based standard provided for outdoor sport and play space and is therefore still recommended as best practice.
- 4.2 The FIT standard represents a minimum level of provision and should be sought as such across the County Borough of Bridgend. Outdoor sport and play space refer to land for sport, recreation and children's play:
- 4.3 For the purposes of the LDP and this SPG, outdoor recreation facilities are defined as follows:-
- 4.4 **Outdoor Sports – 1.6 Hectares**
- 4.5 Outdoor Sport is defined as all areas marked and laid out for formal active recreation purposes. It includes area such as pitches, greens, courts, athletics tracks and training areas. It also includes facilities ancillary to the purposes of outdoor sports such as changing rooms, toilets, pavilions and clubhouses. Also included is land and facilities associated with schools if these are available for the wider community.
- 4.6 **Children's Playing Space – 0.8 Hectares** (includes Informal Playing Space – 0.55 Hectares & Equipped Children's Playing Space – 0.25 Hectares)
- 4.7 Children's Playing Spaces are areas for children and young people that have been designated to provide focussed opportunities for outdoor play. These can include areas containing recreational equipment and grassy areas for small children or older children to enjoy recreational activities. For the purposes of Policy COM11 and the LDP, the Fields in Trust standard of 0.8 hectares per 1000 population is used as a benchmark standard of provision.
- 4.8 **Allotments – 0.2 Hectares**
- 4.9 Allotments are recognised as providing multi-functional benefits to communities in terms of sustainability, leisure and biodiversity. They are areas of open space within and accessible to the urban environment that can provide moderate exercise, relaxation and the production of fresh fruit and vegetables. They also provide community, health and social benefits, encouraging interaction between users of all ages, providing the opportunity to teach and learn, and enhancing local biodiversity.
- 4.10 **Accessible Natural Green Space (including public open space)**
- 4.11 These are defined as predominantly natural areas which contribute to the quality of life of urban areas, and where these areas contain features such as woodland, shrubbery, heath and rough grassland. They also include wetlands or coastal areas characterised by open water, reeds, sand dunes or rocky shores.

4.12 NRW recommends that provision should be made up of at least 2 hectares per 1000 population according to a system of tiers into which sites of different sizes fit:

- No person should live more than 300 metres from their nearest area of natural green space;
- There should be at least one accessible 20-hectare site within 2km from home;
- There should be one accessible 100-hectare site within 5km;
- There should be one accessible 500-hectare site within 10km.

4.13 Although it is expected that local authorities should aspire to meet the provision set out by the above model, the toolkit recognises that this may not be appropriate in all urban contexts. Therefore, the model should be used to inform policy in conjunction with an understanding of the needs of the local community and the value of accessible natural greenspace to it. The standard is promoted as an aspirational target against which local priorities can be set and progress measured. In this regard, given the extensive network of accessible natural greenspace throughout the County Borough, the Council has chosen to adopt the approach that no person should live more than 300 metres from their nearest area of natural greenspace.

4.14 **Amenity Space**

4.15 For the purpose of the SPG 'amenity space' are areas of green space, the primary purpose of which is to soften the environment associated with residential development creating a more attractive environment for residents and improving health and well-being. However, with intuitive design, amenity space can have a dual function in providing opportunities for enhanced recreational uses.

5. ACCESSIBILITY BENCHMARK STANDARDS

- 5.1 Accessibility benchmark standards will be applied to outdoor sport and play provision. These standards are again derived from FIT guidance and are set accordingly for each type of provision. These should be used as indicative only, as no assessment of physical barriers has been undertaken. Nevertheless, they provide a good indication of the level of coverage within walking distance from different types of facilities:

Type	Accessibility standard (Distance in metres)
Outdoor sport	1,200m
Informal playing space	400m
Designated equipped playing space	100m from LAPs
	400m from LEAPs
	1000m from NEAPs
Accessible Natural Green Space	300m

6. ASSESSMENT OF OUTDOOR PLAY SPACE PROVISION

- 6.1 An audit of the provision of Outdoor Sport and Children's Playing Space (2020) within the County Borough has been undertaken by the Council to compare the level of provision broadly with the benchmark standards endorsed by Fields in Trust.
- 6.2 The Sub-Area analysis included in the document is based on the 2011 Census population due to the unavailability of more up-to-date population data at the sub-Local Authority level. The findings should therefore be considered conservative and will be subject to regular review. There is considerable variation across the County Borough in terms of the different types of provision available and the related surpluses and deficits. These are:-
- 6.3 *Sub-Area Level*
- In terms of Playing Pitches, there are deficits of provision in every Sub-Area across the County Borough other than Pencoed.
 - With regards to Equipped / Designated Play Areas, there are deficits of provision in every Sub-Area.
 - Likewise, there are deficits across all Sub-Areas with respect to Other Outdoor Sports Provision
 - There is a much better picture with respect to Amenity Greenspace, with all Sub-Areas showing an "overall" surplus.
- 6.4 It should not be assumed that a surplus of one type of provision can be used to offset a deficit of another type of provision within a Sub-Area. Equally, the standards utilised within the audit are benchmark standards and should not be interpreted as maximum levels of provision. Therefore, identification of an overall surplus of provision within a Sub-Area does not indicate need to reduce existing provision through re-development or otherwise. Access to a multitude of recreational facilities is fundamental in addressing social inequalities within and between different communities in the County Borough, whilst providing the opportunity for people to lead healthy, safe, and well-balanced lives.
- 6.5 Reference to the findings of the most recent assessment of condition will be made when assessing the impact of a proposed residential development on public open space in Bridgend. Where a ward has sufficient provision to meet the FIT standards, developers may still be required to contribute to outdoor play space if it can be demonstrated that the quality and condition of play area fails to meet current quality standards which would be exacerbated by an increase in population. However, developer contributions sought will relate to the scale and impact of the proposed development and will not be expected to offset existing deficiencies in provision.
- 6.6 Consideration will also be given to the accessibility of existing facilities within the locality of the proposed residential development. Important considerations in providing adequate and usable facilities for children are the walking time involved and physical barriers such as main roads. Children do not restrict their play habits to ward boundaries, so when assessing the impact of a proposed residential development, a

number of wards within the vicinity of a proposed scheme could form part of the assessment of existing provision.

- 6.7 The assessment of outdoor play space is an on-going exercise for the Council. In this respect, more up-to-date information relating to usage and quality of existing provision could be taken into consideration in determining outdoor play space requirements when it becomes available. Discussions with the Planning Department early on in the planning process to highlight play provision issues relating to the locality of a proposed residential development are strongly advised.

7. CALCULATING THE REQUIREMENT

- 7.1 Provision of a satisfactory level and standard of outdoor play space should be sought on all new housing developments because an increased population will exert additional pressure on existing facilities. A contribution will therefore be sought for all new residential development.
- 7.2 The total outdoor play requirement for a development will be calculated by multiplying the number of dwellings by a given occupancy rate relevant to each dwelling. The number of bedrooms a dwelling has will determine the most appropriate occupancy rate. The average occupancy levels used by the Council for the purposes of the SPG are:

Household Type	Average Occupancy
1 bed house	1.5 persons
2 bed house	2 persons
3 bed house	2.5 persons
4 bed house	3 persons
5+ bed house	4 persons

- 7.3 The FIT 'Benchmark Standard' of 2.4 ha per 1,000 population can be broken down to a square metre requirement per person as follows:

FIT Standard	
Designated equipped playing space	0.25 ha per 1,000 pop = 2.5m ² per person
Informal playing space	0.55 ha per 1,000 pop = 5.5m ² per person
Outdoor sport (formal)	1.6 ha per 1,000 pop = 16m ² per person

- 7.4 The estimated development population can then be assessed against the FIT standard to calculate the required amount of outdoor play space relevant to the development.

Worked example

A development of 50 three bedroom houses would give a development population of 50 x 2.5 (based on average occupancy rates) = 125. The outdoor play space requirement would therefore be:

Designated equipped playing space	125 x 2.5m ² = 312.5 m ²
Informal playing space	125 x 5.5m ² = 687.5 m ²
Outdoor sport (formal)	125 x 16m ² = 2000 m ²
Total provision	= 3000 m²

- 7.5 The guide to the level of provision required depending on the estimated development population is therefore:

Development Population	Equipped playing space (m2)	Informal playing space (m2)	Outdoor sport (m2)	Total development provision (m2)
50	125	275	800	1200
100	250	550	1600	2400
200	500	1100	3200	4800
500	1250	2750	8000	12000

- 7.6 The type of equipped playing space considered acceptable by the Council will be judged on a site-by-site basis. However, the sort of equipped play likely to be required based on the size of the development population is indicated as:

Development population	Equipped playing space (m2)	Type of equipped play
100	250	Local Area for Play
150	375	Local Equipped Area for Play
250	625	Local Area for Play & Local Equipped Area for Play
350	875	Neighbourhood Area for Play

- 7.7 Outdoor play space provision on new housing developments must reflect the requirements of future occupiers and the particular characteristics of the site. The exact form and type of open space will be determined with regard to the nature and size of the development and the availability of facilities in the local area.
- 7.8 In some circumstances, a variation from normal provision of recreational open space may be more appropriate. The Council will take a flexible approach to the level and type of open space provision sought on a development in order to reflect the likely population characteristics of the development. For sites of 10 dwellings or less, it may not be feasible to deliver the provision onsite. On this basis, a financial contribution in lieu of onsite provision may be considered. This will be spent on either 'enhancing' existing areas of public open space or Active Travel routes from the development site to the nearest area of public open space.
- 7.9 Significant large residential developments may be the subject of development briefs that will specify the amount, type and preferred location of open space.
- 7.10 The outdoor recreation and public open space requirement is seen an essential part of any housing layout and in general should be provided as part of a new housing development. However, the Council acknowledges that there may be circumstances where other planning obligations e.g. highway improvements or education provision take priority over outdoor recreation and public open space. Therefore, it may be necessary to determine the relative priority of different forms of provision in the context of the individual circumstances and planning objectives relative to each development proposal.

7.11 The Green Infrastructure Approach

- 7.12 Bridgend Council is actively pursuing its agenda to adopt a Green Infrastructure approach to development. Opportunities to create multi-functional spaces and connections to the wider green infrastructure network should also be explored as per the requirements of SPG19 'Biodiversity and Development'. Open spaces that contribute to the FIT standards have potential to also contribute to other forms of open space, such as Accessible Natural Greenspace as well as benefitting the environment and health and well-being more generally. In designing development layouts, developers should look to contribute to improving the accessibility and naturalness of open spaces and seek out opportunities to create or contribute to corridors of green spaces.

8. OUTDOOR PLAY SPACE – GENERAL REQUIREMENTS

- 8.1 The provision should, in most cases, continue to be made on site as an integral part of the development; it should be well related to the proposed residential properties and of an appropriate type to serve the needs of the development.
- 8.2 The Council will no longer accept pocket sites, small strips of land or corner sites for adoption as these rarely have significant public benefit or form part of a wider strategic scheme. It is imperative at the layout stage of the development that these sites are designed out of the scheme. Alternatively design and layout could connect a series of spaces linking within or to adjacent off-site provision, which would be seen as a positive development and could be agreed for adoption. Land that has protected status, for example, Scheduled Ancient Monuments, woodlands with a Tree Preservation Order or SINCS are also considered unsuitable for designation as formal equipped play space within a development if such a use would have demonstrable harm upon its primary function. In addition, areas that have a separate function, e.g. balancing ponds, attenuation areas or other engineered features, cannot be considered towards formal play provision unless its use as such can be reasonably guaranteed throughout the year.
- 8.3 The most appropriate method of providing each type of outdoor play space is set out below with additional design principles set out in Appendix 1.
- 8.4 **Children’s Play Space**
- 8.5 This includes equipped and enclosed children’s play areas and open grassed areas suitable for ball games and other forms of casual play. It excludes formal pitches and other sports provision, amenity space or landscaping provided on the site. Facilities for children should, wherever possible, be provided within easy walking distance of related housing areas, readily accessible to the housing which they serve, without the need to cross barriers such as major roads and should be sited to avoid or minimise disturbance to the existing or potential nearby residents. For housing sites, every effort should be made to provide a children’s play space onsite, particularly for the needs of very young children.
- 8.6 The FIT guidance defines three types of equipped children’s play area, the required design standards and play space characteristics as:
- Local Area for Play (LAP) – a small area of unsupervised open space specifically designated for young children for play activities close to where they live.
 - Local Equipped Area for Play (LEAP) – an unsupervised play area equipped for children of early school age.
 - Neighbourhood Area for Play (NEAP) – an unsupervised site serving a substantial residential area, equipped mainly for older children with opportunities for play for younger children.

8.7 Casual playing space is included within the requirement for children's play space. It is defined as open space of a useful size and safe location providing opportunities for informal play activities. Grassed open space within a housing area with adequate separation would conform to the definition. To be a reasonable area for use by older children a casual playing space should be a minimum of 0.05 ha (0.12 acres), but preferably at least 0.1 ha (0.25 acres).

8.8 **Sport Facilities**

8.9 These incorporate playing fields, tennis courts and other facilities for organised sports. Playing facilities such as playing fields can only reasonably be provided onsite within large developments. In some cases, playing fields may be more appropriately provided in conjunction with or located close to existing or proposed playing fields. As far as possible, such off-site locations should be well connected to the residential development generating the need for it i.e. through the use of cycle paths, walk ways and public transport facilities. However, given the size of such facilities it is not uncommon for youth/adult sport facilities to serve a number of wards and therefore be situated in a different ward to the development.

8.10 Developers will be expected to provide a grass/artificial surface area of suitable size, gradient and condition to satisfy the regulations of the particular governing bodies of sport. The size must allow adequate surrounding area for the safe play of sport and the safety of the public and property adjacent to the playing surface.

8.11 Changing rooms/pavilions may be required in association with the sports area. This provision will vary depending on the size of the sports area and the sports provided for. Other facilities associated with the provision of formal play space include formal car parking which may be required specifically to accommodate users of the facility so as not to inconvenience local residents. Floodlighting should be carefully designed to avoid light spillage and should not interfere with the amenities of residents in close proximity to the facility. Developers are encouraged to discuss residential developments at an early stage to ensure appropriate provision to the required standard is provided.

8.12 **Allotments**

8.13 Allotments are recognised as providing multi-functional benefits to communities in terms of sustainability, leisure and biodiversity. They are areas of open space within and accessible to the urban environment that can provide moderate exercise, relaxation and the production of fresh fruit and vegetables. They also provide community, health and social benefits, encouraging interaction between users of all ages, providing the opportunity to teach and learn, and enhancing local biodiversity.

8.14 **Accessible Natural Greenspace**

8.15 Where there is no requirement for a development to contribute towards outdoor sports, children's play space and/or allotment provision and there is no access point to an area of accessible natural green space within 300 metres of the development site, the

Council will expect the developer to create an access point or provide an appropriate contribution toward the creation of an access point.

- 8.16 Where a development is within 300 metres of an area of accessible natural greenspace, but where the access is of an unacceptable standard, the Council will expect an appropriate contribution towards the upgrading of that access point.
- 8.17 Where the creation or upgrading of an access point is not possible, the Council will expect the creation of natural greenspace within the development proposal or an equivalent contribution towards the upgrading of an existing recreational facility to improve its naturalness.
- 8.18 Policy COM11 of the LDP states that no person should live more than 300 metres from their nearest area of accessible natural green space.
- 8.19 Whilst the Council recognises the importance of access to natural green space, it is considered that those who would generally access this space would be of an age where they could reasonably travel beyond the preferred 300 metres, which is considered as an ideal situation rather than a necessity. Conversely, those who would rely on recreational facilities such as playgrounds and allotments are less likely to be able to travel greater distances and therefore these are given preference at this time.
- 8.20 Notwithstanding the above, where there is no requirement for outdoor sports, children's play or allotment facilities either because of an identified surplus in those facilities or where it is considered that the need for access to natural green space outweighs the need for alternative facilities, the Council will require the maximum contributions towards accessible natural green space provision.

9. MANAGEMENT AND MAINTENANCE OPTIONS

- 9.1 The Council will adopt and maintain land as public open space within residential areas, where the primary function of that land is public open space. This will be conditional upon the land fulfilling one or more of the following criteria by:
- Ensuring the health and safety of the public;
 - Enabling or supporting a sport or leisure function;
 - Providing environmental protection or strategic landscape and visual enhancement
- 9.2 The local authority will not adopt under the heading of outdoor play space, apparatus or structures including their surface areas and standoff zones that have a primary function that is not open space. This includes incidental open space associated with underground installations and engineering features, storm water cells, balancing ponds and landform for storm water drainage. The Council will consider adopting Sustainable Drainage Systems (SuDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in accordance with the provisions of the Flood and Water Management Act 2010.
- 9.3 Land that has potential historic liabilities associated with a former use, such as contaminated land, and is offered as public open space, may be considered for adoption. Any such application within a development site will need to be supported by an impartial assessment based on its proposed long-term use as open space. Each application will be subject to separate risk assessments of its historic liabilities in relation to the proposed use as an open space.
- 9.4 Each site of potential outdoor play space will be considered on its own merits on a case-by-case basis. Full discussions on what land could be eligible for adoption should be held at an early stage in the development process. It is advised that proposed adoption be fully explored with the relevant officers prior to submission of a planning permission.
- 9.5 The adoption of land will always be subject to a payment by the developer of a commuted sum to cover the cost of future maintenance. The commuted sum for maintenance is payable on the transfer of the land. The figure is calculated using the current contract figures for maintaining the open spaces multiplied to establish a 25-year maintenance figure (allowing for inflation of the contract prices). Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum based on the equivalent cost of providing the required facility on-site will be sought. Typical maintenance costs are outlined in Appendix 3.
- 9.6 Planning permission for development will be subject to a legal agreement that will include all the above details, and commuted sums within these agreements will be index linked from the date the agreement is signed.
- 9.7 All S106 agreements run with the land so future successors in title are bound by the obligations.

10. FINANCIAL CONTRIBUTIONS IN LIEU OF ON-SITE PROVISION

10.1 Wherever possible the provision of public open space should be made within the boundaries of the development site as an integral part of the development. However, there may be circumstances where it is not possible or appropriate to accommodate the required open space within the development site (i.e. the site may be too small or inappropriate to accommodate the certain open space category). In these cases the Council will accept a commuted payment in-lieu of physical provision. This arrangement will require developers to make financial contributions to the provision of off-site outdoor recreation and public open space, or the improvement of existing outdoor recreational facilities in lieu of on-site provision.

10.2 Financial Contributions

10.3 The contribution payable is calculated according to the current costs per sqm of providing the different categories of open space generated by the development. The commuted payment calculations are based on the equivalent cost of providing the required facility on-site, which have been developed from current rates of tendered contracts by the Council. These figures will be reviewed annually to take account of changing circumstances in relation to costs. The exact level of contributions from developers may vary from the figures illustrated to take account of individual site characteristics. The current costs are set out in Appendix 3.

11. ADMINISTRATION OF THE POLICY

11.1 The implementation of the SPG operates through a number of procedures which are broadly as follows:

11.2 Pre- Application Stage

11.3 Prospective applicants for housing developments are strongly advised to contact the Council's Planning Department prior to submitting a planning application. Amongst other matters, this will enable an officer from the Development Management section to liaise with other Service Areas to outline the Council's requirements relating to outdoor recreation space and other S106 contributions. This is to ensure that any costs relating to provision of outdoor recreation facilities are highlighted prior to, or during, the developer's initial site evaluation exercise.

11.4 Application Stage

11.5 Should pre-application discussions not take place, applicants for housing developments will need to ensure that the provision of outdoor recreation facilities complies with the requirements set out in this SPG. The applicant will be required to enter into a Section 106 legal agreement with the Council to ensure a contribution is made towards open space and outdoor recreation facilities. A draft legal agreement will be forwarded to the applicant for consideration.

11.6 Outline Applications

11.7 In the case of applications for outline planning permission, the applicant will be required to enter into a legal agreement with the Council under S106 of the Town and Country Planning Act 1990. In most cases, details concerning the amount and type of outdoor recreation facilities or level of commuted sums for the proposed residential development will not be known at this outline stage. The Council will ensure the correct contribution is received when more details are submitted with the application for the approval of reserved matters.

11.8 Section 106 Agreements

11.9 Welsh Office Circular 13/97 'Planning Obligations' endorses the use of planning obligations by stating that they can have a positive role to play in the planning system and can help enhance the quality of development. The Circular advises that if a proposed development would generate a need for particular facilities, then it is appropriate to expect developers to contribute to the cost of their provision. The extent of what is sought or offered should be fairly and reasonably related in scale and kind to the proposed development, as well as being reasonable in all other aspects

11.10 Section 106 of the Town and Country Planning Act (TCPA) 1990, as amended by Section 12 of the Planning and Compensation Act 1991, and the Community Infrastructure Levy Regulations 2010 (as amended), is the legislative framework for planning obligations. Any obligation must meet the following three tests:

- 1) Necessary to make the development acceptable in planning terms;
- 2) Directly related to the development; and
- 3) Fairly and reasonably related in scale and kind to the development.

11.11 Furthermore, it should be noted that the CIL Regulations (Regulation 123) restricts the pooling of S106 contributions. Regulation 123 states a S106 obligation cannot constitute a reason for granting planning permission if five or more separate planning obligations already exist for a specific single infrastructure project (entered into since 6th April 2010). The Council keeps up to date records of all S106 agreements entered onto the Planning Register. In discussions with developers, the Council will consider whether the pooling restriction is relevant and seek to ensure that the development can be appropriately mitigated through planning obligations, whilst ensuring that the pooling restriction is not breached. If a development is not capable of delivering appropriate infrastructure because of the pooling restriction, this may make it unacceptable in planning terms.

11.12 Given the uncertainty regarding the future of the Community Infrastructure Levy Regulations 2010 (as amended) and the devolved powers Welsh Government inherited to modify existing secondary legislation in April 2018, the Council has agreed that progress on CIL is to be placed into abeyance until there is a clear direction from Welsh Government. In the meantime, the Council will continue to use planning obligations secured through Section 106 agreements to secure necessary infrastructure.

11.13 **Negotiations with Developers**

11.14 Negotiations with developers on planning agreements will include:

- the project(s) to which their contributions may be used;
- the timing of the payment of agreed contributions (on large sites payments may be phased by agreement with the authority);
- when contributions will be spent (this will normally be within 5 years of receipt of the final payment)

11.15 **Viability**

11.16 Certain proposals may be eligible for discounted or reduced contributions if it can be proven that the value of the contribution required will jeopardise a proposal's viability. It is expected that an 'open book' approach to negotiations will be supported by developers/owners, in order that planning obligations can be secured at appropriate levels to mitigate the impact of the development, whilst ensuring that the development remains viable. Any financial information supplied by a developer as part of this 'open book' process will be considered in confidence.

11.17 All 'open book' financial appraisals will be scrutinised by the Council, which may lead to additional questions being asked of the applicant. Developers will be expected to prove to the Council that a scheme is financially unviable. Where the parties are unable to agree, or by prior mutual agreement, the Council will instruct the District Valuer (DV) to undertake an independent assessment of scheme viability. The DV appointment will be paid for by the applicant/owner/developer. Both parties should accept the DV's

decision on the determination of viability. However, the DV would not act as an arbitrator. Responsibility remains with the Local Authority and landowner, applicant and/or developer to resolve the dispute.

11.18 Irrespective of the outcome of a viability appraisal, it may be necessary for the Council to secure a certain level of developer contributions, in order to mitigate the impact of the development. Such a circumstance could be where a failure to make some provision for certain infrastructure items would make the development unacceptable in planning terms, contrary to policy and an unacceptable burden. This will be assessed on a case-by-case basis. In such circumstances, failure to secure the contributions, deemed necessary to support the proposal, could result in a recommendation of refusal.

11.19 **Planning Appeal Decisions**

11.20 If an appeal is made for reasons other than the open space element of the application, the applicant should ensure that an appropriately worded Unilateral Undertaking is signed prior to the determination of any appeal, to make provision for outdoor play space. Failure to provide such an undertaking would be likely to result in the Council making an objection on open space grounds at appeal.

11.21 **Date of Introduction**

11.22 The public open space guidance set out in this document will be applied to planning applications submitted on or after the date the SPG is formally adopted. It will not apply to applications for reserved matters or outline planning permissions granted before that date. However, extant permissions granted before the SPG document is adopted, will come within its terms and conditions should an application for its renewal be submitted. The SPG will represent a material consideration and will be taken into account when determining such applications.

APPENDIX 1 - General Design Principles

FIT guidance states the following general principles for children's play space as being:

- Appropriate to the needs of the local community.
- Accessible for every child within the appropriate walking time for LAPs, LEAPs and NEAPs.
- Accessible without having to cross main roads, railways or waterways.
- Sited in open, welcoming locations.
- Separated from areas of major vehicle movements and accessible directly from pedestrian routes.
- Sited on land of natural topography or on land capable of being landscaped for the type of play experiences intended.
- Designed in accordance with the requirements of the Disability Discrimination Act, 1995.
- Designed so that any high climbing structures are as far as possible from nearby dwellings and any potential visual intrusion is minimised.
- Integrated, as far as possible, with other open spaces and areas of amenity planting to provide separation from nearby dwellings and contribute to a network of green corridors.
- Explore opportunities to create multi-functional spaces where feasible, whilst ensuring the primary FIT category is maintained.
- Visible from nearby dwellings or well used pedestrian routes.
- Accessible by footpaths with a firm surface.
- Surfaced in a manner fitting to the intensity of use.
- Provided with seating for accompanying adults, carers and siblings.
- Designed to provide a stimulating and challenging play experience that may include equipment and other features providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play, play with natural materials such as sand and water, ball games, wheeled areas or other activities.

APPENDIX 2 - Children's Play Space Main Characteristics – general guidance

	LAP	LEAP	NEAP
Age Group	Primarily children up to 6 years	Children beginning to go out and play independently	Primarily older children of relative independence
Walking Time	Within 1 minute of home	Within 5 minutes of home	Within 15 minutes of home
Location	Beside well used pedestrian route	Beside well used pedestrian route	Beside well used pedestrian route
Characteristics	Reasonably flat, well drained grass or hard surface	Reasonably flat, well drained grass or hard surface with impact absorbing surfaces beneath equipment	Reasonably flat, well drained grass and hard surface with impact absorbing surfaces beneath equipment
Activity Zone	Minimum 100m ²	Minimum 400m ²	Minimum 1000m ²
Equipment	Features that may allow to claim space as theirs	Minimum of 6 stimulating and challenging play experiences	Minimum of 9 stimulating and challenging play experiences
Buffer	5m minimum to separate activity zone and forward most part of nearest dwelling	10m minimum to separate activity zone & forward most part of nearest dwelling. 20m between activity zone & habitable room façade of dwelling.	30m minimum to separate activity zone & boundary of nearest property containing a dwelling. Greater distance may be need for purpose-built skate park facilities.
Planting	Varied to provide a mix of scent, colour and texture	Varied to provide a mix of scent, colour and texture	Varied to provide a mix of scent, colour and texture
Fencing	600mm guard rail, low fence or planting to indicate perimeter	Boundaries should be recognisable. Perimeter fences may be inappropriate, but some fencing could be necessary. If used a height of 1m with two outward opening gates	Boundaries should be recognisable. Perimeter fences may be inappropriate, but some fencing could be necessary. If used a height of 1m with two outward opening gates
Seating	1 seat / bench and litter bin	Provision for accompanying adults & sibling	Provision for accompanying adults & sibling
Litter Bins	NA	One or more	One or more
Notice	Sign indicating: <ul style="list-style-type: none"> Area is for children's play 	Sign indicating: <ul style="list-style-type: none"> Area is for children's play 	Sign indicating: <ul style="list-style-type: none"> Area is for children's play

	<ul style="list-style-type: none">• Dogs are not welcome	<ul style="list-style-type: none">• Dogs are not welcome• Name & telephone of facility operator• Location of nearest telephone	<ul style="list-style-type: none">• Dogs are not welcome• Name & telephone of facility operator• Location of nearest telephone
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APPENDIX 3 – FINANCIAL CONTRIBUTIONS COST GUIDANCE

Fixed Play Equipment Installation & Maintenance Costs 2015

LAP Sample Requirements	Installation Costs	Maintenance Requirements	25-year Costs
Anchored Litter Bins x 2	£458	Rotary Grass Cutting	£7,500
Fire retardant Benches on concrete base	£1,080	Tree/Shrub	£5,000
Tar-macadam Surface	£5,200	Furniture	£5,000
Rubber Safety Surfacing	£22,500	Empty Litter Bins	£15,000
Metal Fencing 1.2m Bow Topped	£3,800	Replace Vandalised Equipment	£5,000
Tarmacadam 1.5m width path	£975	Annual Safety Inspection	£3,750
Self-Closing Gates x 2	£1,904	Annual Risk Assessment	£1000
Signage inclusive of fixings and posts	£265	Re-painting Equipment	£5,000
Grass 100m2	£1,000	Overlay Footpath	£3,000
Tree/Shrub	£2,000	Replace Safety Surface	£900
TOTAL	£39,182		£51,150

LEAP Sample Requirements	Installation Costs	Maintenance Requirements	25-year Costs
Multi Climber Junior	£9,281	Rotary Grass Cutting	£15,000
6" 1 Bay 2 Seat Cradle Swing	£3,590	Tree/Shrub	£5,000
8" 1 Bay 2 Seat Flat Swing	£3,879	Furniture	£5,000
Roundabout	£6,679	Play Equipment Safety Check	£15,000
Spring Rocker	£1,654	Empty Litter Bins Cleansing	£17,500
Spring Rocker	£1,654	Replace Vandalised Equipment	£50,000
See Saw	£3,360	Annual Safety Inspection	£1,500
DDA Items	£601	Annual Risk Assessment	£1,000
Anchored Litter Bins x 2	£458	Re-painting Equipment	£7,500
Fire retardant Benches x 2	£1,080	Overlay Footpath	£25,000
Tar-macadam Surface	£19,500	Replace Safety Surface	£15,000
Rubber Safety Surfacing	£10,150		
Metal Fencing 1.2m Bow Topped	£7,500		
Tarmacadam 1.5m width path	£975		
Self-Closing Gates x 2	£1,569		
Safety Barriers	£255		
Signage	£265		
Grass 100m2	£1,000		
Tree/Shrub	£2,000		
TOTAL	£75,450		£157,500

NEAP Sample Requirements	Installation Costs	Maintenance Requirements	25-year Costs
Multi Climber Junior	£9,281	Rotary Grass Cutting	£25,000
6" 1 Bay 2 Seat Cradle Swing	£3,590	Tree/Shrub	£7,500
8" 1 Bay 2 Seat Flat Swing	£3,879	Furniture	£5,000
Roundabout	£6,679	Play Equipment Safety Check	£17,500
Spring Rocker	£1,654	Empty Litter Bins Cleansing	£20,000
Spring Rocker	£1,654	Replace Vandalised Equipment	£62,500
See Saw	£3,360	Annual Safety Inspection	£1,500
Dynamic Structures	£2,680	Annual Risk Assessment	£1,000
Dynamic Structures	£3,940	Re-painting Equipment	£7,500
DDA Items	£601	Overlay Footpath/Tarmac areas	£25,000
Anchored Litter Bins x 2	£458	Replenish Wood bark	£37,500
Fire retardant Benches x 2	£1,080	Replace Safety Surface	£15,000
Tar-macadam Surface	£19,500		
Rubber Safety Surfacing	£10,150		
Metal Fencing 1.2m Bow Topped	£16,500		
Tarmacadam 1.5m width path	£975		
Wood bark	£6,000		
Self-Closing Gates x 2	£1,569		
Safety Barriers	£255		
Signage	£265		
Grass 100m2	£2,200		
Tree/Shrub	£2,000		
TOTAL	£98,270		£225,000

Formal Play Provisions Installation and Maintenance Costs	Indicative Installation Costs	25-year Costs
Multi Use Games Areas	£75,000	
40m x 18m fenced & floodlit		£59,025
Tennis Courts (2) 37m x 42m	£117,000	
Fenced and floodlit		£60,275
Football Pitches per pitch	£75,000	
110m x 71m (including run-off)		£184,125
Rugby Pitches	£75,000	
106m x 79m (including run-off)		£184,125
Cricket 4 x turf	£54,000	
1 x Artificial total 6649m2 including outfield		£154,700
Outdoor Bowls 40m x 40m	£750,000	
Inclusive of Pavilion		£580,525
ATP's sand based	£550,000	
100m x 64m fenced and floodlit		£209,025
Rebound wall with goals	£10,000	
10m x 10m		£61,075
Rebound wall with goals	£10,000	
10m x 10m		£61,075
Rebound wall & basketball	£11,000	
10m x 20m		£74,600
BMX Track	£75,000	
50m x 20m fenced & floodlit		£140,075
Skateboard provision	£120,000	
50m x 20m fenced & floodlit		£143,075

Formal Play Provisions Installation and Maintenance Costs	Installation Costs	25-year Costs
Informal Play Space 5,000m2 graded level seeded and stoned picked inclusive of path and furniture	£45,000	£322,525

Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend, CF31 4WB