

# Open Space/ Recreation Provision in New Residential Developments SPD

West Lancashire  
Local Development Framework



*April 2009*





<b>Chapter 1 Preface</b>	<b>1</b>
<b>Chapter 2 Introduction</b>	<b>2</b>
<b>Chapter 3 Policy Background &amp; Replacement of Existing Guidance</b>	<b>4</b>
<b>Chapter 4 Local Assessment</b>	<b>7</b>
<b>Chapter 5 Exceptions to SPD Requirements</b>	<b>10</b>
<b>Chapter 6 General Principles of Open Space</b>	<b>11</b>
<b>Chapter 7 Provision of On-site Open Space</b>	<b>13</b>
<b>Chapter 8 Provision of Off-site Open Space</b>	<b>16</b>
<b>Chapter 9 Future Updates of Provision Guidance</b>	<b>18</b>
<b>Chapter 10 Maintenance of Open Space</b>	<b>19</b>
<b>Chapter 11 Legal Agreements</b>	<b>20</b>
<b>Chapter 12 Location of Open Space</b>	<b>21</b>
<b>Chapter 13 Design of Open Space</b>	<b>22</b>
<b>Appendix A Local Plan Policy</b>	<b>23</b>
<b>Appendix B Glossary</b>	<b>30</b>

## Contents

## Chapter 1 Preface

- 1.1** This Supplementary Planning Document (SPD) is designed to provide more detailed guidance on the District Council's approach to the protection and enhancement of existing open space and the provision of additional open space and associated facilities as part of new housing developments. The review of the District Council's guidance on open space and recreational provision has been prompted by requirements in PPG17, which requires Local Planning Authorities to base their policies and provision standards for open space, sport and recreation facilities on local assessments of need and local audits of existing provisions. In line with guidance set out within PPG17 the District Council appointed independent consultants to undertake a Playing Pitch Assessment and Open Space Study of the District and create local standards on which this SPD has been based.
- 1.2** There are a number of policies contained in the Adopted West Lancashire Replacement Local Plan that are concerned, either directly or indirectly, with open space provision within the District. The purpose of this document is to provide further advice to developers / landowners on the District Council's policies for open space and recreational provision in new residential developments. This document will provide detailed advice on whether on-site or off-site open space provision will be appropriate; the level of contribution associated with commuted sums, the area of land associated with on-site provision and guidance on maintenance, location and design of open space.
- 1.3** The guidance contained within this document will be used by the District Council's Planning Control team as a basis for negotiations with developers prior to the determination of application for residential development. Developers are therefore strongly advised to have regard to this guidance when preparing applications for residential development within the District and are also encouraged, prior to the submission of applications, to discuss the proposals with an officer in the District Council's Planning Control team who can provide further advice on this guidance.
- 1.4** Any further queries should be directed to the District Council's Planning Policy Team on (01695) 577177 or electronically to [ldf@westlancsdc.gov.uk](mailto:ldf@westlancsdc.gov.uk).

## 2 Introduction

### Chapter 2 Introduction

- 2.1** West Lancashire District Council feels strongly that all residents within the District should have access to a range of high quality open space facilities. Open spaces are essential for sport, recreation, health, wellbeing and relaxation and, through appropriate design, can also act as important habitats for an array of wildlife and to improve biodiversity.
- 2.2** We understand that our residents value a high quality open space. The District Council therefore seeks to encourage, where appropriate, the provision of new, high standard spaces and the improvement of existing open spaces to maximise their use and provide multi purpose benefits. Helping to create healthier, safer, more attractive neighbourhoods throughout the District, where people care about and respect their environment.
- 2.3** The objectives of this Supplementary Planning Document are:
- To provide a high standard of public open space that gives safe and convenient access to such facilities for all user groups;
  - For developers to provide appropriate financial assistance for the effective and efficient management of new open space sites within the local area;
  - To ensure that all new residential development has access to a high standard of open space within an acceptable and appropriate distance;
  - For all residential development to play its role in the achievement of applying the local standard for open space provision within its local area.
- 2.4** New residential development can place a strain on existing open spaces, with new developments attracting new residents to the vicinity, thus increasing the number of open space users in the locality. This can result in the under provision of open space in some areas. Therefore the Adopted West Lancashire Replacement Local Plan seeks, on one hand, to protect existing areas of open space which are highly valued by the local community, whilst ensuring new / enhanced open space facilities are available to meet the needs of new residential development. The District Council recognises that high quality open space can have a positive impact on the quality of life for the District's residents and this Supplementary Planning Document sets out how developers can contribute to the provision of such spaces.
- 2.5** This document relates to, and expands upon, a number of policies contained within the West Lancashire Replacement Local Plan relating to open spaces. The most significant policies are EN1 (Biodiversity), EN8 (Green Spaces), GD2 (Developer Contributions to Infrastructure), SC1 (Sports, Recreational, Leisure and Cultural Facilities), SC2 (Recreational Facilities) and SC9 (Cycling and Walking Facilities). It should also seek to compliment plans at at Regional Level, particularly EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets ) and EM3 (Green Infrastructure), further details of these policies can be found on either the [District Council Website](#) or the [Regional Spatial Strategy Website](#) or in Appendix A of this document.

- 2.6** This document provides guidance on the amount of public open space that the District Council will require developers to provide as part of schemes for residential development and the arrangements to be made to ensure that these spaces are adequately maintained in the future to the satisfaction of the District Council.
- 2.7** This document will provide guidance on how the District Council will prioritise the use of commuted sums for open space. The main priority for the Council will be to address the quality deficiencies in open space and then to seek to improve quantitative deficiencies where possible and appropriate. The result of this will be to improve the range of benefits that open spaces can provide, in terms of their recreational benefits, and benefits to the natural environment and biodiversity, through to their use as flood storage areas.
- 2.8** Any commuted sums received by the District Council will be used in most cases to address qualitative deficiencies, with monies being spent on projects within the vicinity of the new development that the financial sum relates to.
- 2.9** As this guidance will be a material consideration when determining applications for residential development, developers are advised to follow the guidelines set out within this SPD prior to the submission of any residential schemes. Developers are also encouraged to discuss any proposals with the Planning Control or Planning Policy teams prior to submission of any application.

## 3 Policy Background & Replacement of Existing Guidance

### Chapter 3 Policy Background & Replacement of Existing Guidance

- 3.1** This SPD seeks to expand on existing guidance at a National, Regional and Local level to ensure the effective delivery of open space provision within West Lancashire. It is necessary that the SPD conforms with all the guidance set out within this chapter and assists in supporting local planning policies as set out within Appendix A.
- 3.2** This SPD replaces previous guidance on open space provision, which was formally adopted for Development Control purposes in September 2002.

#### National Planning Guidance

##### PPS1: Delivering Sustainable Development

- 3.3** Planning Policy Statement 1 'Delivering Sustainable Development' is concerned with the Government's main objectives for planning and states that "*planning authorities should seek to enhance the environment as part of development proposals*" and should also "*take account of environmental issues such as the need to improve the built environment including the provision of good quality open space*".

##### PPG17: Planning and Sport

- 3.4** Planning Policy Guidance Note 17 (Sport and Recreation) and its companion guide sets out the latest Government advice to Local Planning Authorities on planning for open space, sport and recreation. The guidance states that open spaces are fundamental in delivering the Government's objectives of urban renaissance, sustainable development and social inclusion. Paragraph 33 is concerned with the use of planning obligations and states that they "*should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports or recreational provision*". The guidance goes on to outline the need for local planning authorities to undertake assessments of needs and audits of existing facilities and set local standards in order to justify planning obligations as set out later in this SPD.

##### PPS25 (Development and Flood Risk)

- 3.5** Planning Policy Statement 25: Development and Flood Risk states that flood risk should be considered alongside other spatial issues such as transport, housing, economic growth, natural resources, regeneration, biodiversity, the historic environment and the management of other hazards. Policies should recognise the positive contribution that avoidance and management of flood risk can make to the development of sustainable communities, including improved local amenities and better overall quality of life.



## Policy Background & Replacement of Existing Guidance

### **Circular 05/05: Planning Obligations**

- 3.6** Under the provisions of Section 106 of the Town and Country Planning Act 1990, as amended in the Planning and Compensation Act 1991, Local Planning Authorities can seek to secure planning obligations in determining planning applications and such obligations can take a variety of forms. These obligations can for example, require certain operations or activities to be carried out or require land to be used in a certain way; they may also require payments to be made to the local authority. Circular 05/05 states that planning obligations must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fair and reasonable in scale and kind, and reasonable in all other respects.

### **Regional Planning Guidance**

#### **Regional Spatial Strategy for the North West (2008)**

- 3.7** The Regional Spatial Strategy for the North West was adopted in September 2008 and contains a number of relevant policies that should be considered including Policy EM1 relating to Environmental Assets and Policy EM3 relating to Green Infrastructure. Further information on the Regional Spatial Strategy can be found on the [4NW Website](#).

### **Local Planning Guidance**

#### **West Lancashire Replacement Local Plan (2006)**

- 3.8** The West Lancashire Replacement Local Plan was adopted in July 2006 and includes reference to a number of policies relating to open space, included Policies GD1, EN1, EN8, SC1, SC2 and SC3. In terms of housing development, Policies DE1 and DE3 refer to such development. Details of these policies can be found within Appendix A to this document.
- 3.9** The existing policy framework seeks in the main to protect open space facilities within the District and encourages their enhancement. If any development involves the loss of open space / or facilities then it is a requirement that a new area of open space or new facility is provided, at the same standard or better.

#### **Supplementary Planning Guidance Note: Open Space or Recreational Provision related to Residential Development (2002)**

- 3.10** In September 2002 the District Council adopted a Supplementary Planning Guidance Note (SPG) relating to the above issue. The SPG set out the requirements for both on-site (through the creation of new open space) or off-site (through financial commuted sums) open space provision.
- 3.11** This SPD now replaces the former SPG.

## 3 Policy Background & Replacement of Existing Guidance

### **Sustainability Appraisal for the Open Space Provision within new Residential Developments SPD (2008)**

- 3.12** As part of the preparation of this SPD a Sustainability Appraisal (SA) was undertaken. The aim of the appraisal was to ensure that the policies and guidance provided within this document were effectively considered in terms of their environmental, social and economic impacts. Where the appraisal felt the SPD would have a negative impact on these three issues, mitigation measures would be considered in order to reduce the impact.
- 3.13** In the case of this SPD the appraisal identified that the SPD would only have limited impacts on the environmental, social and economic features of the District. In nearly all cases these impacts were seen as positive, such as the creation of new open space areas improving the environment and the provision of open space providing opportunities to improve peoples' health.
- 3.14** Further details on the Sustainability Appraisal, and the Sustainability Appraisal process, can be found on the [District Council Website](#).

## Chapter 4 Local Assessment

- 4.1** PPG17 and the Companion Guide call for authorities to undertake local assessments of open space needs. In response to this requirement, the District Council appointed consultants to undertake a District-wide Playing Pitch Assessment and Open Space Study. The District Council formally approved these in November 2005 with a recommendation to prepare a supplementary planning document on the issue. The result of these studies and any subsequent reviews will feed into the production of the District Council's Local Development Framework (LDF) in terms of open space policies and any future update of this SPD.

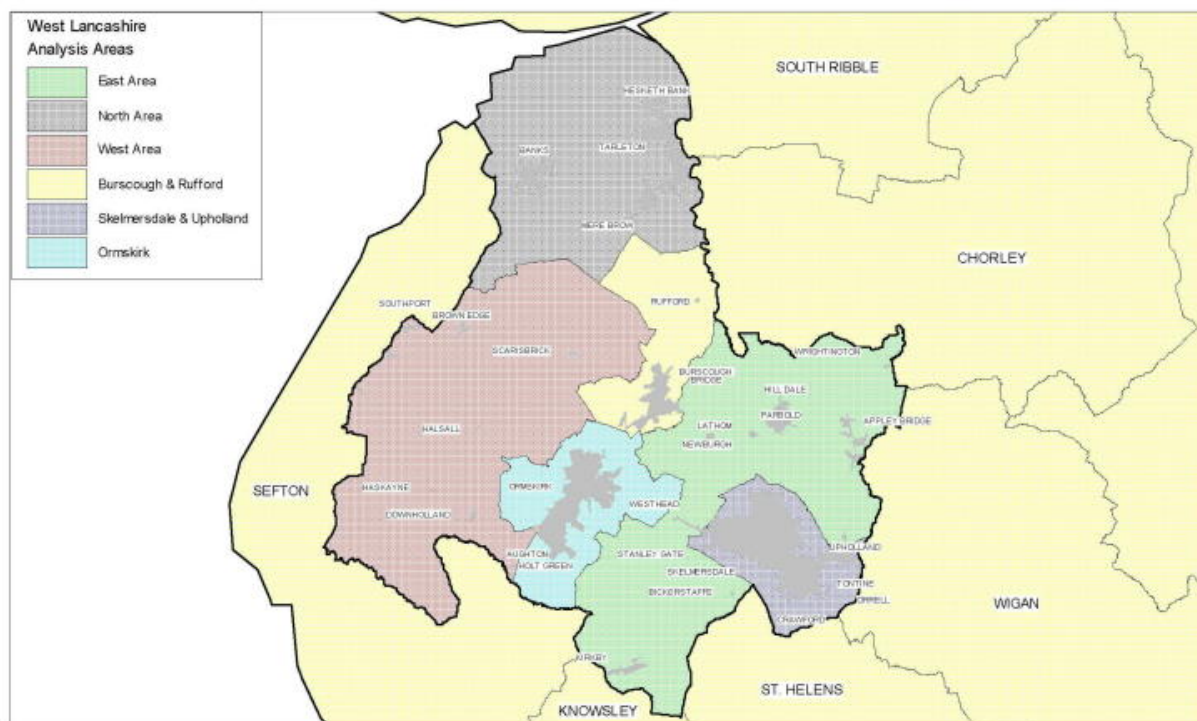
### West Lancashire Playing Pitch Assessment

- 4.2** In 2004 the District Council commissioned consultants PMP to prepare a Playing Pitch Assessment for West Lancashire, particularly in relation to football pitches (both adult and junior), rugby pitches, cricket pitches and hockey pitches.
- 4.3** The Playing Pitch Assessment was prepared in line with guidance set out within Planning Policy Guidance 17 and its Companion Guide which places a requirement on all local authorities to undertake a local audit and assessment of its open space facilities.
- 4.4** The study indicated that whilst there was an adequate supply of playing pitches in most areas of the District, there was a significant issue in relation to the quality of the pitches, in terms of facilities (i.e. Changing rooms) and drainage.
- 4.5** The Open Space was approved by West Lancashire District Council Cabinet Members in November 2005. The Playing Pitch Assessment and all accompanying information can be found on the [District Council Website](#). The Document is also available from the District Council offices at 52 Derby Street, Ormskirk.

### West Lancashire Open Space Study

- 4.6** In 2006 the District Council commissioned consultants KKP to prepare a Open Space Study of the District. This involved the assessment of the current supply of a variety of open space types, including Amenity Green Space, Natural and Semi Natural spaces, Civic Spaces, Allotments.
- 4.7** As with the Playing Pitch Assessment, this Study was prepared in line with guidance set out within Planning Policy Guidance 17 and its Companion Guide in terms of the requirements to undertake local audits and assessments. To ensure that the audit / assessment is truly local, the District has been divided into a number of different 'analysis areas' which are set out in Figure 4.1 below.

## 4 Local Assessment



**Figure 4.1 Analysis Areas used for the Open Space Study 2005**

- 4.8** The Study indicated that there was a significant supply of certain types of open space in the District, particularly in terms of amenity space and natural spaces. However, other types of provision, particularly formal parks and gardens, allotments and facilities for young people, were lacking within the District. The types of open space assessed in the study are set out in Table 4.1 below.

Formal	Informal	Play Provision	Non Pitch Sports
Parks and Gardens	Natural / Semi Natural Spaces	Provision for Children And young people	Non Pitch Provision (e.g. Athletics, bowls etc)
Allotments	Green Corridors		
Civic Spaces	Amenity Greenspace		

**Table 4.1 PPG17 Open Space typologies**

- 4.9** The Study provided the local authority with an action plan, detailing certain projects and schemes that should be supported in order to address deficiency. It also set a number of local standards for specific areas, which have been used within the SPD to define the on-site open space requirements for new residential development.

- 4.10** The Open Space was approved by West Lancashire District Council Cabinet Members in November 2005. The Open Space Study and all accompanying information can be found on the [District Council Website](#). The Document is also available from the District Council offices at 52 Derby Street, Ormskirk.

#### **Revision of the Evidence Base**

- 4.11** It is acknowledged that the information provided within both the Playing Pitch Assessment and Open Space Study is coming to the end of its usable life. With that in mind, and as part of the work being undertaken for the West Lancashire Core Strategy, the District Council have commissioned consultants PMP to revise both studies and provide a more updated snap shot of open space supply and demand. This will be completed by mid 2009 and it is anticipated that this SPD will be revised accordingly to take into account any changes.

## 5 Exceptions to SPD Requirements

### Chapter 5 Exceptions to SPD Requirements

- 5.1** Some small-scale schemes will not be required to make any contribution towards the provision of open space or other recreational facilities. These exceptions are listed below:
- Residential schemes consisting of three or less dwellings;
  - Conversions of buildings resulting in the provision of three or less dwellings;
  - Replacement residential dwellings;
  - Rest homes / nursing homes;
  - Residential extensions;
  - Residential annexes; and
  - Homes for temporary / seasonal agricultural workers.
- 5.2** The schemes listed above have been singled out as they have to be considered in terms of their contribution to open space needs within the area and the viability of providing open space (or contribution) as part of any specific development proposal.
- 5.3** Whilst schemes involving 100% affordable housing will have to comply with the requirements of this SPD, a 50% discount will be applied, both for on-site contributions and off-site commuted sums, to help to ensure that such schemes are financially viable.
- 5.4** Development at Skelmersdale Town Centre will provide the catalyst for major regeneration of the town and the opportunity to provide significant improvements to open space and recreation within the town, particularly in terms of quality. A Supplementary Planning Document has been prepared for the regeneration of [Skelmersdale Town Centre](#) and the provision of open space will be specifically considered within that document. Consequently residential development at Skelmersdale Town Centre, within the boundaries proposed within the SPD will be exempt from the requirements of this SPD.

## Chapter 6 General Principles of Open Space

- 6.1** Provision for on-site open space facilities will be expected from all developments within an area of deficiency (highlighted with table 1) that are not listed within the exceptions to requirements outlined within Chapter 5 of this document. The information that has been provided in table 1 is based on information from the 2005 Open Space Study, discussed in Chapter 4 of this document, and refers to the requirements for play facilities, which would be the most common requirement for on-site open space provision.
- 6.2** The general principle is that residential development consisting of between 3-39 dwellings will be required to provide a commuted sum for the provision of new and improved facilities in the immediate vicinity of the development site. Development consisting of 40 or more dwellings, will, in general, be required to provide open space on the development site itself, unless through negotiation with the District Council it is decided that the provision of a commuted sum would be more appropriate.
- 6.3** The above thresholds were finalised following discussions with the District Council Leisure Services Section and are considered the most appropriate means of ensuring that both the quality of existing open space areas are improved / enhanced and the quantity of open space is increased within areas of deficiency.
- 6.4** If the development proposal is for outline planning permission, and it has been agreed with the District Council that there will be a requirement for open space provision on the development site itself, the proposal should specify the minimum area of land to be laid out as open space. Any outline planning permission should include a condition that specifies the minimum area of land to be laid out as open space.
- 6.5** The table below sets out the current provision of open space within the District and the local standards that have been recommended through the Open Space Strategy in 2005. It identifies that currently all areas of the District are deficient in Open Space.

## 6 General Principles of Open Space

Analysis Area	Current Open Space Provision	Local Standard
Burscough & Rufford	11.05ha per 1000 people	11.23ha per 1000 people
East Area (Parbold, Appley Bridge etc)	10.31ha per 1000 people	10.60ha per 1000 people
North Area (Hesketh Bank, Tarleton etc)	5.44ha per 1000 people	5.81ha per 1000 people
Ormskirk & Aughton	3.5ha per 1000 people	3.59ha per 1000 people
West Area (Scarsbrick & Halsall etc)	4.87ha per 1000 people	5.28ha per 1000 people
Skelmersdale & Up Holland	7.39ha per 1000 people	7.47ha per 1000 people

**Table 6.1 Local Standards Recommended by the Open Space Strategy**



## Chapter 7 Provision of On-site Open Space

- 7.1** The table set out below is derived from the local standards for play provision as produced within the Open Space Study, referred to in Chapter 4 of this document. It has been decided that as the most common requirement for on-site open space will be for the provision of play facilities then the standard for this typology should be used.
- 7.2** The standards are based on space required per bedroom and should be followed for development of 40 or more dwellings unless otherwise negotiated with the District Council. These local standards set out will be periodically reviewed in light of updated information and to ensure the most up-to-date standards are applied.

Dwelling Size	Land Required per Dwelling
<b>Burscough and Rufford: Local Standard 0.12ha per 1000</b>	
1 bedroom	1.22m <sup>2</sup>
2 bedroom	2.44m <sup>2</sup>
3 bedroom	3.66m <sup>2</sup>
4+ bedroom	4.88m <sup>2</sup>
<b>East Area (Parbold, Appley Bridge etc): Local Standard 0.16ha per 1000</b>	
1 bedroom	1.6m <sup>2</sup>
2 bedroom	3.2m <sup>2</sup>
3 bedroom	4.8m <sup>2</sup>
4+ bedroom	6.4m <sup>2</sup>
<b>North Area (Hesketh Bank, Tarleton, Banks etc): Local Standard 0.09ha per 1000</b>	
1 bedroom	0.9m <sup>2</sup>
2 bedroom	1.8m <sup>2</sup>
3 bedroom	2.7m <sup>2</sup>
4+ bedroom	3.6m <sup>2</sup>
<b>Ormskirk and Aughton: Local Standard 0.14ha per 1000</b>	
1 bedroom	1.4m <sup>2</sup>
2 bedroom	2.8m <sup>2</sup>
3 bedroom	4.2m <sup>2</sup>

## 7 Provision of On-site Open Space

Dwelling Size	Land Required per Dwelling
4+ bedroom	5.6m <sup>2</sup>
<b>West area (Scarsbrick, Halsall, Haskayne etc): Local Standard 0.08ha per 1000</b>	
1 bedroom	0.8m <sup>2</sup>
2 bedroom	1.6m <sup>2</sup>
3 bedroom	2.4m <sup>2</sup>
4+ bedroom	3.2m <sup>2</sup>
<b>Skelmersdale and Up Holland: Local Standard 0.25ha per 1000</b>	
1 bedroom	2.5m <sup>2</sup>
2 bedroom	5m <sup>2</sup>
3 bedroom	7.5m <sup>2</sup>
4+ bedroom	10m <sup>2</sup>

**Table 7.1 Space Required per Bedroom**

**7.3** Further to the requirement for on-site provision to be made for play space within a development, there will also be a financial requirement on developers to provide a commuted sum for the provision of other types of open space within the vicinity of the development. The calculation is based on the off-site contribution found within Chapter 9 of this document and is based on a 70% reduction of the off-site financial contribution.

Dwelling Size	Amount Required per Dwelling
1 bedroom	£319
2 bedroom	£638
3+ bedroom	£956

**Table 7.2 Financial Contributions to accompany on-site provision**

**7.4** To provide better understanding of how the above standards can and will be applied to development a number of examples have been set out below.

**Example 1:**

A development of 40 dwellings in Ormskirk, consisting of seven 2-bedroom properties, eighteen 3-bedroom properties and fifteen 4-bedroom properties.

**On-site Open Space Provision for play facilities.**

- Local Standard for Ormskirk = 0.14ha per 1000
- Requirement from 2-bedroom properties:  $7 \times 2.8\text{m}^2 = 19.6\text{m}^2$
- Requirement from 3-bedroom properties:  $18 \times 4.2\text{m}^2 = 75.6\text{m}^2$
- Requirement from 4-bedroom properties:  $15 \times 5.6\text{m}^2 = 84\text{m}^2$
- Total on-site requirement for the development = **179.2m<sup>2</sup>**

**Off-Site financial Contribution for other types of Open Space to accompany on-site provision**

- Requirement from 2-bedroom properties =  $7 \times £638 = £4,466$
- Requirement from 3-bedroom properties =  $18 \times £956 = £17,208$
- Requirement from 4-bedroom properties =  $15 \times £956 = £14,340$
- Total financial requirement to accompany on-site provision = **£36,014**

**Example 2:**

A development of 60 dwellings in Skelmersdale, consisting of ten 2-bedroom properties, thirty two 3-bedroom properties and eighteen 4-bedroom properties.

**On-site Open Space Provision for play facilities.**

- Local Standard for Skelmersdale = 0.25ha per 1000
- Requirement for 2-bedroom properties:  $10 \times 5\text{m}^2 = 50\text{m}^2$
- Requirement for 3-bedroom properties:  $32 \times 7.5\text{m}^2 = 240\text{m}^2$
- Requirement for 4-bedroom properties:  $18 \times 10\text{m}^2 = 180\text{m}^2$
- Total on-site requirement for the development: **470m<sup>2</sup>**

**Off-site financial Contribution for other types of Open Space to accompany on-site provision**

- Requirement from 2-bedroom properties =  $10 \times £638 = £6,380$
- Requirement from 3-bedroom properties =  $32 \times £956 = £30,592$
- Requirement from 4-bedroom properties =  $18 \times £956 = £17,208$
- Total on-site requirement for the development: **£54,180**

## 8 Provision of Off-site Open Space

### Chapter 8 Provision of Off-site Open Space

- 8.1** On development of between 3-39 dwellings, or on larger developments where it has been agreed that on-site provision is not required / appropriate, financial contributions in the form of commuted sums will be required from developers in all areas of deficiency.
- 8.2** The financial costs of open space facilities are based on information provided by the District Council's Leisure and Grounds Maintenance Section and are based on 2007 prices. Due to inflation these cost will increase over time and therefore the figures provided within this section will only act as a guide figure for developers.
- 8.3** Any financial contributions of off-site open space will be used on existing areas of open space within the vicinity of the development. For the purposes of clarity the 'vicinity' is classed as within the ward of the development or in a ward adjacent to the development.

Dwelling Size	Amount Required per Dwelling
1 bedroom	£1,063
2 bedroom	£2,126
3+ bedroom	£3,188

**Table 8.1 Financial Contribution for Off-Site Provision**

#### **Example 1:**

A development of 40 dwellings in Ormskirk, consisting of seven 2-bedroom properties, eighteen 3-bedroom properties and fifteen 4-bedroom properties.

Off-Site financial contribution for other types of Open Space to accompany on - site provision:

- Requirement from 2-bedroom properties:  $7 \times £2,126 = £14,882$
- Requirement from 3-bedroom properties:  $18 \times £3,188 = £57,384$
- Requirement from 4-bedroom properties:  $15 \times £3,188 = £47,820$
- Total financial requirement to accompany on-site provision: **£120,086**

#### **Example 2:**

A development of 60 dwellings in Skelmersdale, consisting of ten 2-bedroom properties, thirty two 3-bedroom properties and eighteen 4-bedroomed properties.

Off-Site financial requirement for other types of Open Space to accompany on-site provision:

- Requirement for 2-bedroom properties:  $10 \times £2,126 = £21,260$
- Requirement for 3-bedroom properties:  $32 \times £3,188 = £102,016$

## Provision of Off-site Open Space 8

- Requirement for 4-bedroom properties:  $18 \times \text{£}3,188 = \text{£}57,384$
- Total financial requirement to accompany on-site provision: **£180,660**

## 9 Future Updates of Provision Guidance

### Chapter 9 Future Updates of Provision Guidance

- 9.1** The guidance that has been provided in this document relating to the levels of deficiency, on-site open space provision and financial contributions, has been based on the most up-to-date figures available at the time of adoption.
- 9.2** However it is recognised that such figures will need to be updated on a regular basis to ensure adequate provision is made for open space within residential developments. It is envisaged that the Council will prepare a supplementary planning note on a regular basis to update the document, such reviews will be attached to the rear of this document.
- 9.3** It is therefore recommended that any potential applicant / developer should seek advice from the District Council as to whether the information presented within the document is the most current and up-to-date information.

## Chapter 10 Maintenance of Open Space

- 10.1** The maintenance of any open space site to be provided on the development itself must be discussed with the District Council's Grounds Maintenance team prior to development commencing and costs will be considered on a case-by-case basis and will be dependant on the location, size and nature of proposal.
- 10.2** The financial contributions, as set out within Chapter 9 of this document, already include a contribution towards maintenance and cleansing. This figure will be updated on a regular basis to take account of inflationary and other increases.
- 10.3** Upon completion of the scheme, the District Council will require the developer or other parties (such as the landowner, residents association, maintenance company etc) to maintain the open space to a standard acceptable to the District Council for at least a 12-month establishment period. Following this period the District Council may be willing to take over responsibility for maintenance of the open space. Should this occur, the District Council will require a sum of money which should be a commuted sum equivalent to 10 years maintenance cost of the land and facilities provided.
- 10.4** The estimated cost of such maintenance will be based upon current rates for grounds maintenance in the local area and an allowance for inflation will be added. The inflation rate will be based on the soft landscaping indices and not standard inflation rates, which will vary over time. The District Council at the point of adoption will calculate a final sum.
- 10.5** The Council will only be willing to take over ownership and responsibility for maintenance of an area of open space if it meets the specifications previously agreed through discussion with the Council's Grounds Maintenance and Leisure Section as part of the planning process. Developers should provide the District Council with written notification when work is due to commence and again upon completion. The Grounds Maintenance Section of the District Council, along with any other appropriate departments, will then inspect the site and specify what additional work, if any, may be required. Through negotiation the District Council may be prepared to forego any establishment period and adopt the area of open space immediately. If this is the case a further 10% of the total maintenance cost of the scheme will be required to offset the extra maintenance costs imposed on the Council.
- 10.6** The District Council will seek to use Performance Bonds as a method of ensuring that developers prepare any on-site open space to a high standard and that the maintenance plans for the site are implemented in an appropriate manner.

## 11 Legal Agreements

### Chapter 11 Legal Agreements

- 11.1** Developers will be required to enter into legal agreements to cover on-site or off-site (commuted sums) provision of open space and the arrangements of its maintenance. The legal agreements will include a clause which requires a developer to provide a commuted sum to cover the cost of provision of and future maintenance of the open space (equivalent to 10 years maintenance cost). Planning permission will not be granted until both the developer and the Council have signed this agreement.
- 11.2** In respect of off-site provision the Council will usually require the payment of a commuted sum upon the commencement of work on the site. For on-site provision the Council will require payment of the commuted sum prior to adoption of the area of public open space.
- 11.3** Policy GD2 of the West Lancashire Replacement Local Plan provides guidance on this issue, the detail wording of this policy is set out in Appendix A of this document.



## Chapter 12 Location of Open Space

- 12.1** Open space should be located so as to minimise any disturbance to any nearby residential properties. The location should be chosen after taking account of the following factors.
- 12.2** There will be a consultation process with local residents that will seek to obtain views about the best location for open space within a particular locality.
- 12.3** Existing features such as trees, hedgerows, level changes and water features should be incorporated into the space wherever possible to add to the nature conservation and biodiversity value of the site and help create more individual, dynamic spaces. Where water features are proposed as part of the development, it may be appropriate for these features to be used as part of a sustainable drainage system avoiding underground utility apparatus.
- 12.4** The role that open space can play in improving and enhancing the wildlife and biodiversity value should be carefully considered and how such features can assist the Lancashire Biodiversity Action Plan (BAP). The District Council would particularly encourage this approach in the case of larger developments where open space features and the natural environment should integrate. Developers are encouraged to make reference to Natural England's Accessible Natural Green Space Standards (ANGST) model regarding the protection and enhancement of natural features. The standard can be viewed or downloaded from the Natural England website at <http://www.natural-england.org.uk> .
- 12.5** Sites should, where possible, form part of a series of linked open spaces to assist in the creation of environmental corridors that can be used for recreation. Where development is adjacent to the canal network consideration should be given to what role such a feature can play in providing for open space.
- 12.6** Open spaces should be open in nature and, where possible, be overlooked by residential development as this helps to provide a degree of natural surveillance. However, care must be taken to ensure that the siting of the space minimises the likelihood of general disturbance to the nearby residents caused by noise and loss of privacy, for example through siting the most popular play equipment away from boundary walls / fences and in spaces that do not directly overlook nearby gardens etc. Developers should ensure that prospective buyers are made aware of the location and extent of open spaces and associated facilities on the development site.

## 13 Design of Open Space

### Chapter 13 Design of Open Space

- 13.1** All open space / recreational provision will be subject to meeting detailed design criteria listed under the Adopted West Lancashire Replacement Local Plan Policy GD1. Further guidance on this issue is provided within the West Lancashire Design Guide, which is available on the [District Council Website](#).
- 13.2** The Council encourages developers to provide a wide range of open space facilities, with both the creation of equipped or non equipped areas of open space being used on new developments. More detailed guidance can be obtained from the District Council upon request. All equipment used in the creation of such facilities should require low maintenance and meet British Safety Standards.
- 13.3** On larger sites, in addition to formal play, advantage should be taken in order to provide opportunities to provide an unobstructed area of open space for ball games and the use of existing natural areas for informal play so long as this can be provided in a safe environment that allows for unobstructed supervision.
- 13.4** In order to reduce disturbance and loss of privacy, any high climbing equipment or mounds should not be sited near to surrounding residential properties.
- 13.5** Safety surfaces should also be used beneath such equipment and this should meet British Safety Standards.
- 13.6** Landscape design submissions should demonstrate that community safety and crime prevention measures have been considered, in addition to ensuring that spaces are designed to ensure ease of access for emergency vehicles.
- 13.7** In some instances, a formal risk assessment may be required to take into account issues such as proximity to the highway etc. The District Council will look at each case individually to assess whether it feels such an assessment is necessary.

## Appendix A Local Plan Policy

### Policy GD2

#### Developer Contributions to Infrastructure

Where appropriate, the Council will seek to impose conditions or negotiate with developers to agree appropriate levels of contributions towards infrastructure improvements which are required to secure the future needs of the occupiers of that development or mitigate the impact of the development on the surrounding area. The contributions can consist of the provision of new facilities or a financial contribution by way of legal agreement to the provider of the service to cover their provision and / or future maintenance. The scale of contributions will be directly related to the scale of measures and facilities that are needed as a result of the development.

The contributions may be expected to cover the following where appropriate:-

#### 1. For Major Development

- i. Flood Prevention and off-site Drainage Measure where necessary;
- ii. Off-site Highway Improvements where necessary;
- iii. Public Transport Improvements;
- iv. Cycling and Pedestrian Facilities;
- v. Community Safety Measures.

#### 2. For Residential Development

- I. Open Space, Sports and Recreation Facilities;
- ii. Affordable Housing;
- iii. Education Facilities;
- iv. Health and Community Facilities.

#### 3. For Retail Development

- i. Recycling Facilities

#### 4. For Schemes Costing Over £1,000,000

- I. At least 1% of the total development cost of the scheme to be put towards the provision of acceptable works of a scheme of environmental enhancement either on-site or at a location agreed with the Council.

## A Local Plan Policy

### Policy EN1

#### Biodiversity

The biodiversity of the District will be protected by not allowing development which would destroy or adversely affect important wildlife habitats or geological sites. Development which returns key biodiversity resources to viable levels, by promoting restoration, and re-establishment of habitats and species populations in accordance with National and Local Biodiversity Action Plans, is encouraged.

#### A. Nature Conservation Sites

In particular, the strongest possible protection will be given to Ramsar Sites, Special Protection Areas, Candidate Special Areas of Conservation and European Protected Species.

In the case of National Nature Reserves or Sites of Special Scientific Interest, only development serving an overriding national public need which cannot be located elsewhere will be considered but mitigation measures and compensatory habitat creation will be required.

In County Biological Heritage Sites, Local Nature Reserves, Regionally Important Geological / Geomorphological Sites and Local Nature Conservation Sites, only development which is required to meet an overriding local public need will be considered but mitigation measures and compensatory habitat creation will be required.

Presently designated sites are shown on the Proposals Maps.

The nature conservation policies referred to above apply not only to development in or on nature conservation sites, but also to development elsewhere that may indirectly affect such sites. Where development is allowed, planning conditions or obligations will be used to protect or enhance site' nature conservation interest.

#### B. Wildlife Corridors

Development will not be permitted which would destroy or significantly impair the integrity of the Wildlife Corridors shown on the Proposals Map, by:-

- i. Resulting in then loss of undeveloped open character of the Wildlife Corridor;
- ii. Reducing the width or causing direct or indirect severance of a Wildlife Corridor;
- iii. Restricting the potential for lateral movement of wildlife;
- iv. Causing degradation of the ecological functions of the Wildlife Corridor;
- v. Directly or indirectly damaging or severing links between Green Spaces, Wildlife Corridors and th Open Countryside; or

vi. Restricting public access to a Wildlife Corridor.

### **C. Protected Species**

Development will not be permitted which may destroy or have an adverse effect either directly or indirectly, on:-

i. Badgers;

ii. Species protected by Schedules 1 (Birds), 5 (Animals) or 8 (Plants) of the Wildlife and Countryside Act 1981 as amended, and Schedules 2 & 4 of the Conservation (Natural Habitats, &c.) Regulations 1994; or

iii. Habitats that support these species at any time of the year.

NB. This policy covers all the sites and corridors shown on the Proposals Maps and any that may be identified in the future.

### **Policy EN7**

#### Protection of Historic Parks and Gardens

Development will not be permitted which would have a detrimental impact on the historic landscape character or the historic setting of sites included in the Register of Gardens and Parks of Special Historic Interest compiled by English Heritage. At the present date only Scarsbrick Hall and Park, with its gardens and surrounding land, has been included in Register, but other sites may be added at a later date.

Development proposals which enhance conserve or restore the historic landscape will be permitted provided that they incorporate adequate provision for maintenance, interpretation and improved public access.

Development of the following sites, and on land forming part of their setting, will be only be permitted if it can be shown that they enhance, conserve or restore feature of historic landscape value and respect their wider setting:-

1. Lathom Park (A)
2. Rufford New Hall Park (A)
3. Rufford Old Hall Gardens (A)
4. La Mancha, Halsall (A)
5. Wrightington Hall Estate (B)
6. Harrock Hall Estate (B)
7. Bickerstaffe Hall Estate (C)
8. Crawford Manor (C)
9. Moor Hall, Aughton (C)
10. Parbold Hall (C)

## A Local Plan Policy

### **Policy EN8**

#### Green Spaces

Development will not be permitted which would destroy or significantly impair the integrity of the main Green Spaces shown on the Proposals Map, or any other locally important area of open space, by:-

- i. Resulting in the loss of the undeveloped open character of the area;
- ii. Restricting access to a publicly accessible Green Space;
- iii. Causing the degradation of the visual, ecological and historical functions of the area;
- iv. Directly or indirectly damaging or severing links between Green Spaces, Corridors and the open countryside.

Development may be permitted where it will provide a substantial environmental gain to the visual, ecological or appropriate recreational functions of the Green Space or where it forms part of a scheme which provides an overall benefit to the local community in social, environment and economic terms.

**Policy SC1****Sports, Recreation, Leisure and Cultural Facilities**

Development which results in the loss of any sports, recreational, open space, leisure or cultural facilities (including school playing fields) will only be permitted if:-

- A. The loss forms part of a proposal for the improvement of sports, recreational, open space, leisure or cultural services serving the needs of the local community; or
- B. Compensatory sports, open space, recreational, leisure or cultural facilities to equivalent or improved standard are provided which are easily accessible, available to local people and capable of meeting existing needs, and satisfactory arrangements are made for their future maintenance; or
- C. Where it forms part of a scheme which provides an overall benefit to the local community in social, environment and economic terms.

Development resulting in the loss of playing fields will only be permitted if:

- i. It is Demonstrated through a quantified and documented assessment that there is an excess of playing field provision in the catchment, and the site has no special significance to the interest of sport; and
- ii. The proposed development is ancillary to the principal use of the site as a playing pitch or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use; and
- iii. The playing field(s) which would be lost as a result of the proposed development would be replaced by a playing field(s) of an equivalent or better quality and equivalent or better quality, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development; and
- iv. The proposed facility is for an indoor or outdoor sports facility, the provision of which would be a significant benefit to the development of a sport as to outweigh the detriment caused by the loss of the playing field(s).

Outdoor sport and recreational facilities will permitted in green spaces, and on protected land or in the Green Belt provided that they can comply with all relevant policies.

Indoor recreational, leisure and cultural facilities will be permitted within the built-up areas of the towns and villages provided they do not have a detrimental effect on residential amenity. In identifying sites and assessing proposals for this sort of development, regard will be had to the need for the proposed development, its scale in relation to the settlement and centre in which it is to be located, and the sequential approach to selecting sites set out in PPS6 and the Local Plan Policy DE10.

## A Local Plan Policy

NB. The larger facilities are shown in the Proposals Map but the policy applies to all sports (including school playing fields), recreational, open space, leisure (including allotments) or cultural facilities.

### Policy SC2

#### Recreational Facilities

Facilities for informal countryside recreation activities are proposed at the following sites as shown on the Proposals Map:-

1. Hunters Hill, Wrightington;
2. Calico Brook, Appley Bridge;
3. Pabold Hill, Parbold;
4. Platts Lane & Mill Dam Lane, Burscough;
5. Chequer Lane, Up Holland.

Proposals will also be developed to protect and improve facilities at existing countryside recreation sites shown on the Proposals Map at:-

1. Beacon Country Park, Skelmersdale;
2. Tawd Valley Park, Skelmersdale;
3. Fairy Glen, Appley Bridge;
4. Dean Wood, Up Holland;
5. Abbey Lakes, Up Holland;
6. Ruff Wood, Ormskirk;
7. Platts Lane Lake, Burscough.

New childrens play areas are proposed on the sites shown on the Proposals Map at:-

1. Lathom Avenue, Parbold (0.2ha)
2. Tabby's Nook, Newburgh (0.2ha)
3. Abbeystead, Digmoor, Skelmersdale (0.5ha)
4. Redgate, Ormskirk (1ha)
5. Elm Place, Ormskirk (0.6ha)
6. Land East of Eavesdale, Skelmersdale (0.9ha)
7. Bescar Lane, Bescar (0.2ha)
8. Bramble Way, Parbold (2.1ha)



**Policy SC3**

Three new Linear Parks as defined in the Proposals Map are proposed along:-

1. The Canal and River Douglas Corridor in Tarleton and Hesketh Bank;
2. The former Ormskirk - Skelmersdale railway line; and
3. The former railway line at Banks.

It is intended that these facilities will provide for informal countryside recreation opportunities, including horse riding where possible, as well as important cycling and pedestrian links between and within communities for leisure, travel to school, employment and shopping. It is intended that the linear parks will also provide opportunities for the incorporation of public art features, as well as the interpretation of the local heritage of the route and improvements to its biodiversity potential.

In the case of the Tarleton and Hesketh Bank Linear Park, new or improved tourist attractions will be considered in the area of the former Alty's Brickworks site, provided that these do not adversely affect the local highway network or residential amenity, and that they complement and link to the function of the linear park.

**Policy SC9****Cycling and Walking Facilities**

The proportion of journeys made by cycling and walking will be increased, by requiring new developments to incorporate appropriate facilities for cyclists and pedestrians within the development, and appropriate links to the development.

Development will not be permitted which would harm the current cycleway or pedestrian route network or prejudice the future provision of the following:-

- i. Ormskirk - Skelmersdale Cycle Route (identified on Proposals Map) as part of the Linear Park Proposal;
- ii. Other future cycle routes required to complete the network in West Lancashire, which are identified through the West Lancashire Cycling Strategy and Network Plan;
- iii. The Trans Pennine Trail along the Cheshire Lines; and
- iv. The Lancashire Coastal Path including a bridge across the River Douglas.

## B Glossary

### Appendix B Glossary

#### Appendix B: Glossary

LDF - Local Development Framework.

PPG - Planning Policy Guidance.

PPS - Planning Policy Statement.

RSS - Regional Spatial Strategy

SPG - Supplementary Planning Guidance.

SPD - Supplementary Planning Document.

Performance Bond - Is an agreement between the developer / applicant to ensure that works are undertaken and completed in a satisfactory manner.

Soft Landscaping Indices - In the rate of inflation that landscape and grounds maintenance works are calculated at. These rates vary from standard inflation rates and further details can be found on the [Department of Transport and Industry](#) website.



