

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY SERVICES COMMITTEE

Agenda Item No.

meeting date: 13th October 2015
title: OPEN SPACES AND DEVELOPER CONTRIBUTIONS TO OFF-SITE PROVISION OF LEISURE AND RECREATION FACILITIES
submitted by: JOHN HEAP, DIRECTOR OF COMMUNITY SERVICES
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1 PURPOSE

- 1.1 To update you on the council's position with respect to negotiations with developers about contributions towards off-site sports and leisure activity related to the provision of open space and sports facilities/ playing pitches.
- 1.2 To agree to the Assessment of Facility Needs and Calculation of Contribution Framework being formally adopted in future negotiations with developers.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – in contributing to make lives safer and healthier and maintaining a level of facility and open space provision appropriate to the increasing demand created by an increase in population across the Borough.
- Corporate Priorities – to ensure a well-managed council, providing efficient services through identifying customer need and maximising use of resources.
- Other Considerations – none identified.

2 BACKGROUND

2.1. The Open Space Working Group have been tasked with seeking to establish the council's position on the nature and scale of financial contributions towards the likely impacts on the areas' of open space and sports facilities arising from emerging residential development proposals.

2.2. In general the need to address open space and recreational provision flows from the National Planning Policy Framework (NPPF) Chapter 8 Promoting Healthy Communities which emphasises that policies in local plans, including those that are seeking developer contributions should be based on robust and up to date assessments of needs.

2.3. Contributions may be sought through the application of policies within the Ribble Valley Core Strategy DPD within Key Statement DMI 1 Planning Obligations. This sets out the Borough's priorities in seeking such contributions which include open space matters. Open space issues are defined in the document as "including all typologies of sport, leisure, green infrastructure". It is intended that these include recreational facilities inside buildings, such as swimming pools.

2.4 In order to set out a transparent basis for arriving at a calculation which might reasonably be applied to developers, it has been necessary to set out an evidence base comprising current provision and the likely future needs and impacts that are related to future planned development in the Borough.

The review of current facilities was initiated by a Borough Facilities Modelling Study; prepared by Lancashire Sport and which provides an overview of the types, locations and counts of key sporting facilities in the Ribble Valley. Where possible a Sport England (S.E.) modelled indication of the facilities per 1,000 population has been utilised to identify what would be required to service the population the size of Ribble Valley. The subsequent Assessment of needs research served to identify the specific

provision that would be required to serve the needs of the projected increase in population up to 2028.

In some cases; (Swimming Pools, Sports Halls and Artificial Grass Pitches), application of Sport England Facility Calculator (SFC) for these sports facilities provides an estimate of the projected increase in facilities in order to satisfy the additional impact of the increase in population flowing from the core strategy housing requirements to 2028. The SFC turns an estimation of demand (visits per week) into the equivalent amount of facility which is needed to meet these visits per week.

So the projected facility increase and costing for facilities are as follows;

SWIMMING POOL- An increase of 57.6 sq. m. or 0.27 pools which = £779,224

SPORTS HALLS- An increase of 1.46 courts or 0.37 Halls = £882,206

ARTIFICIAL TURF PITCHES- An increase of 0.15 pitches = £107,084 (Sand Based) and £121,499 (3G).

FITNESS ROOM STUDIO- An increase in fitness stations (63) based upon facility improvement= £315,000.

GRASS PITCHES- An increase of 6 senior pitches and 7 junior pitches= £458,000.

2.5. The toolkit however does not enable an equivalent assessment for play facilities.

2.6. An internal audit of play facilities across the Borough was undertaken in 2014;- There are 38 play area facilities with almost half under Borough Council control and the other half provided by the Parish Council or independent trust. The audit included an assessment of the quality of play experience accessibility and condition with respect to maintenance and safety. Only 1 of these formal play areas made provision for teenage play.

2.7. The overall situation is that the main settlements; (Clitheroe, Longridge and Whalley), appear to be served well with a high standard of play facilities for young children up the age of 12 years. However, an up to date current local standard of provision in terms of the minimum quantity per person in hectares and maximum distance to the nearest play facility has not been determined for the Borough as this requires a comprehensive mapping exercise of the area. The individual provision of this type of facility was mapped in detail within the Settlement Audit of 2006 as Children's Play Areas and the area possessed a total of 5.54 ha of this facility in 2006, but there has been no mapping to quantify the area since and no attempt to identify gaps or deficiencies in provision which would also be necessary to help establish a local standard for the authority based upon current demand.

2.8. As the main three settlements are reasonably well served with play areas; (Clitheroe 10 sites, Whalley 3 sites and Longridge 4 sites), rather than create new facilities it is proposed to seek contributions towards the maintenance and improvement of existing play facilities. If a new housing development is already served by an established play facility then a contribution towards the maintenance costs of a facility may be sought. An assessment of play facility operator maintenance costs identified an average annual expenditure of £2,500 per facility).

2.9. The audit of play facilities revealed limited provision for teenagers. Whilst it is recognised that provision is not feasible at the same level as for the under 12's there is a need identified from the lack of facilities identified in the play area audit, for an increase in facilities. As with provision for younger children a specific local Borough standard is not available to compare the current quantity and gaps in provision, but there is a comparable short supply compared with younger age provision; with facilities comprising of Skateboard area and MUGA in Clitheroe and a Skateboard and limited equipment in Longridge. There was no equivalent provision in Whalley. Given the evident shortage of facilities identified both in the Council's Play Strategy (2007), and

more recently the audit (2014), it is proposed to provide an Outdoor Green Gym facility in Clitheroe and 2 X MUGA Facilities at an estimated cost of £350,000.

2.10. In relation to the Borough's formal parks and Gardens and other kinds of Open Space such as natural and semi natural green spaces and informal space and allotments there is currently no formally assessed and evidenced standard of future need or gaps in current provision.

3 ISSUES

3.1 Financial contributions will be sought on particular open space and related recreational facilities items which have been identified through current evidence documents, that have been examined as part of the Examination in Public of the Core Strategy in January 2014. These will need to be updated as required.

3.2 Contributions will be calculated based on the impact of the proposed development on the Borough's current provision and it's identified future needs. This could be either on-site provision or a financial contribution to off-site facilities based on a Borough-wide costed need. A detailed assessment of current and future needs with respect to grass pitches maintenance and upgrading, swimming and sports halls, Fitness suite provision and play provision/ maintenance has been collated in the Assessment of Facility Needs document. This sets out the evidence base for developer contributions, and for which member approval is now sought.

3.3 The general impact of new development, in terms of proposed general population increase, has been calculated earlier based on a 2011 Census based figure of 2.4 people per dwelling leading to a potential increase of 13,400 residents from 2008 to 2028 based on an uplift of 5,600 dwellings as outlined in the Core Strategy (Development Strategy) Key Statement DS1. This figure has been used below to generate a per head contribution that relates overall resident numbers to the overall combined costs of the various open space requirements.

3.4 However each individual development that appears in future through the planning process will necessarily contain a mix of various house types that may vary from the general formula of 2.4 people per dwelling set out above and may result in a variety of impacts on open space provision. Therefore a more detailed and appropriate calculation takes the initial per head calculation and applies it to each development proposal by applying an occupancy ratio (again based on 2011 Census figures) to each house type within each proposal. Therefore in general a calculation would be based on this formula:

Occupancy ratio x per person cost x number of units = contribution

The occupancy ratios proposed are:

1 bed unit	1.3 people
2 bed unit	1.8 people
3 bed unit	2.5 people
4 bed unit	3.1 people
5 + bed unit	3.5 people

3.5 Contributions may be sought on each new dwelling permitted in the Borough as each will potentially generate an impact on and need for open space facilities.

Please note that amenity open space requirements are to be on-site and based upon the approach in the Core Strategy policy DMB4 Open Space provision.

To avoid uncertainty the financial contribution tariff will be applied to all proposals from the date of adoption of this document.

The per head calculation is 13,400 divided into the following global open space and associated recreational facilities anticipated costs;

SWIMMING POOL- An increase of 57.6 sq. m. or 0.27 pools which = **£779,224**

SPORTS HALLS- An increase of 1.46 Courts or 0.37 Halls = **882,206**

ARTIFICIAL TURF PITCHES- An increase of 0.15 pitches = **£107,084 Sand Based and £121,499 3G.**

FITNESS ROOM STUDIO- An increase in fitness stations (63)- Based upon S.E. Health and Fitness Facility provision within affordable Sports Halls/ Pool/ Fitness Room costings= **£315,000**

GRASS PITCHES- An estimated cost of improving senior and junior pitches in line with Sport England costs-(Fourth Quarter 2013).
Based upon 6 senior pitches @ £38,500 and 7 Junior Pitches @£ 32,500 = **£458,500.**

NEIGHBOURHOOD PLAY FACILITY PROVISION- Provision of Outdoor Green Gym @ £100,000 (Clitheroe), and 2 x Muga facilities (Longridge and Whalley) @ £125,000 = **£350,000**

JUNIOR PLAY FACILITY- Provision of facilities/ improvements to existing facilities.
The estimated contribution per play facility based upon the delivery of specific schemes in Council maintained facilities is £2,500 per facility per year.

The total estimated cost of the facility needs is £2,906,428

The cost per person assuming an increase in residents of 13,400 is £216.90 (The figure does not include the contribution towards maintenance of a formal play area for children under 12 years as a decision as to the need to include a contribution would be based upon the circumstances within each application).

3.6 The Borough has already permitted approximately 90% of the housing allocation in the core plan, which means that there isn't a lot of opportunity left to seek new contributions. Some contributions have already been identified in agreements with developers and more recently the

3.7 The implementation of a structured calculation framework represents a standardised approach towards drawing down a fixed contribution which will go towards the priority of facility needs as it becomes possible to fund them. It will also avoid situations where developers have proposed new or improved facilities through direct discussions with local community residents but which are in discord to the identified needs for that area as contained in the Borough Plan.

3.8 It is important to emphasise that the above contributions will be sought through the current Section 106 (S106) regime on development proposals made after the date of adoption of the Contributions Paper. However the government's position on contributions in general is that it would prefer that, for most categories of contribution, including that for open space and recreational facilities, (though a significant exception being affordable housing, which will remain related to 106 procedures) Local Authorities should move to a Community Infrastructure Levy (CIL) approach and it is therefore significantly restricting the scope of S106 related planning obligations. While the Council, through the Core Strategy, is committed to the development of a CIL no detailed work on the preparation of a CIL charging schedule has begun and therefore for the foreseeable future contributions for open space and related matters will be still be sought through the S106 route.

3.9 As mentioned above the S106 regime is being significantly tightened. In specific terms contributions for what are termed "generic" categories of infrastructure, such as education, health or open space, in which money sought will be directed into a pooled

pot will, as of April this year, be limited to a maximum of five specific S106 agreements that have been, or will be, made after 6th April 2010.

3.10 The same approach ie a maximum five specific S106 related contributions after 6th April 2010 also applies for contributions towards specific “projects”, such as a specific swimming pool or a specific sports ground.

3.11 Therefore, in seeking contributions using this paper’s approach, existing S106 agreements post 6th April 2010 will need to be checked to confirm how many, if any, generic or project specific contributions have been already made and therefore how many may still be sought. To clarify further, whilst the S106 route towards developer contributions is being tightened, the government will, in principle, allow contributions for such areas as open space and recreational facilities to be sought on future development, but specifically through the CIL route.

4.0 RISK ASSESSMENT

The approval of this report may have the following implications

- **Resources** – The approval of the methodology for determining off-site contributions will support efforts to obtain financial contributions through section 106 agreements. Whilst the amount of new development that that this can apply is relatively small due to the majority of residential housing having already been granted planning permission, there is nevertheless the possibility of financial gain.

In the absence of up to date spatial mapping of certain open space typology, a certain amount of officer time will be necessary to quantify the current provision and establish a local standard as part of the ongoing efforts to produce a C.I.L.

- **Technical, Environmental, Legal** – The changes to the Section 106 regime and move towards a CIL identified in section 4 will affect the Council’s position in negotiating future contributions.
- **Political** – None identified
- **Reputation, Equality & Diversity** – The reputation of the council may be adversely affected if it is not in a position to take advantage of the opportunities for improving facilities and open space provision on behalf of residents, as pressure grows on the existing availability created by an increase in population.

5. RECOMMENDED THAT COMMITTEE

5.1 Consider the content of the Assessment of facility needs and calculation framework document; and agree to this being utilised to guide negotiations with developers in the production of section 106 agreements relating to future developments.

5.2 It is recommended that this report be referred to Planning and Development Committee for approval at the next cycle in November.

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Community Services Committee 27.5.14 Colin Winterbottom /IW