

OLDHAM METROPOLITAN BOROUGH COUNCIL

LOCAL DEVELOPMENT FRAMEWORK

**DRAFT OPEN SPACE, SPORT AND RECREATION
PROVISION SUPPLEMENTARY PLANNING
DOCUMENT**

Consultation Period:

March 2008

OLDHAM METROPOLITAN BOROUGH LOCAL DEVELOPMENT FRAMEWORK

Supplementary Planning Document

The Government has reformed the system of development planning in England. Development Plans are used to control and guide the development and use of land. As part of the reformed system, Oldham Metropolitan Borough Council must prepare a “Local Development Framework”.

The Local Development Framework will be a folder of different documents, including Development Plan Documents, which set out the Council’s approach to future development in the Borough.

This document is part of a Supplementary Planning Document (SPD). SPDs are documents that expand on policy outlined in a Development Plan Document or provide more detail on it to help in its implementation. They are not formally part of the statutory Development Plan but are material considerations in determining planning applications.

Supplementary Planning Documents have three supporting documents:

- a Sustainability Appraisal,
- a Habitats Regulations Assessment, and
- an Equalities Impact Assessment.

Members of the public may comment on the Supplementary Planning Document and any of the three supporting documents. A document outlining who has been consulted in the preparation of the Supplementary Planning Document, and issues they raised, is also available alongside these documents. This is called a Consultation Statement.

Members of the public may comment on this document during the six-week public consultation period as indicated on the public notice and comments form.

Comments made on the document cannot be treated as confidential.

If you would like further help in interpreting this document please contact the Strategic Planning and Information section on the following telephone numbers: 0161 770 1673 / 4151.

You can also email the team on spi@oldham.gov.uk.

All documents connected with the Local Development Framework are available on the Council’s web site at www.oldham.gov.uk.

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If you would like to receive this information in another format, such as large print, Braille, audio or alternative languages, please call us on 0161 770 4151 or 4163 or 4139.

1. CONTEXT

- 1.1 This draft Supplementary Planning Document (SPD) provides information to assist with the implementation of Oldham Metropolitan Borough Unitary Development Plan (UDP) policies on how the Council will seek open space, sport and recreation provision where it may be lost through alternative development or sought as part of a residential development. The draft SPD provides guidance and advice on:
1. The mechanisms for seeking a replacement facility and/or financial contribution where an open space, sport or recreation facility is lost as a result of development; and
 2. The mechanisms for seeking open space, sport and recreation provision as part of a residential development.
- 1.2 The intention of the SPD is not to form a Greenspace Strategy. It sets out the process for seeking planning obligations that may be sought through policies R1.1 and R2.1 within the UDP.
- 1.3 Comments are invited on this document and should be submitted, in writing, to: Strategic Planning and Information, Regeneration Directorate, Oldham MBC, Oldham Business Centre, Cromwell Street, Oldham OL1 1WR, OR by fax: 0161 770 5172, OR by email: spi@oldham.gov.uk. The deadline for submission of any comments is indicated on the public notice and comments form.
- 1.4 It should be noted that comments must relate to the effects of the draft SPD **and not** the saved UDP policies that the draft SPD will be helping to implement.
- 1.5 This draft SPD is accompanied by a Sustainability Appraisal, Habitats Regulations Assessment and Equalities Impact Assessment which have informed the production and content of the draft SPD. Comments on these accompanying documents can also be made within the same consultation period.

2. INTRODUCTION

- 2.1 Open space, sport and recreation provision helps to underpin people's quality of life. They have a key role to play in the protection of the environment: supporting biodiversity, animal habitats and nature conservation; and combating the effects of pollution. Access to quality open space, sport and recreation provision is essential to the health and well-being of the population, particularly in dense inner urban areas as found in the Borough, as they provide an opportunity for increased physical activity and exercise and contribute to improved mental health. Open space, sport and recreation provision can contribute to the delivery of the Government's wider objectives

including urban renaissance, social inclusion and community cohesion across the Borough. They can also support economic growth, enhancing the image and appeal of the Borough for residents, workers and visitors and can provide an educational resource for all sectors of the community.

- 2.2 Open space, sport and recreation provision within urban areas are coming under pressure for development primarily due to the need for urban renewal and the protection of the green belt. New residential developments also place pressure on existing open space, sport and recreation provision as new developments result in an increase of residents in an area. Even individual new dwellings and small developments can cumulatively result in pressure on existing facilities.
- 2.3 The UDP emphasises the importance of open space, sport and recreation provision and highlights the following objectives:
- a. Ensure that land is provided for a wide range of open space, sport and recreation facilities, which meet the needs and expectations of all residents of the Borough and are accessible to all residents, workers and visitors;
 - b. Protect from inappropriate development existing open spaces, sport and recreational facilities that are of public value to residents;
 - c. Maintain and enhance the quantity, range and quality of open spaces and sport and recreational facilities throughout the Borough;
 - d. Protect and maximise opportunities for a network of open spaces and recreation routes across the Borough that contribute to sustainable transport;
 - e. Support suitable recreation activity in the urban fringe;
 - f. Increase the amount of sport and recreational provision in the Borough by providing new sites where resources and opportunities permit;
 - g. Encourage a more efficient use of land by promoting sites that cannot be used for other purposes to be developed as open space and/or for sport and recreational purposes, and using brownfield sites in preference to greenfield sites;
 - h. Encourage the accessibility of existing and new open space, sport and recreation facilities by public transport; and
 - i. Ensure that the use of sport and recreational facilities does not result in loss of amenity or have a detrimental impact on

residents, neighbouring uses, the character of the area, or harm nature conservation and biodiversity.

- 2.4 The Council's approach to open space, sport and recreation provision is to strive for good quality provision for the Borough's local communities, whilst ensuring an appropriate quantity and distribution of sites. To ensure that all communities can access and experience the full range of benefits that such provision brings.
- 2.5 Therefore, the Council has prepared this draft SPD to ensure that developments which impact on open space, sport and recreation within the Borough take a balanced approach to provision, considering improvement of existing sites alongside the creation of new.

3. LOCAL PLANNING POLICY

Oldham Metropolitan Borough Unitary Development Plan (UDP) (Adopted 14th July 2006)

- 3.1 The UDP sets out an interim position for the purposes of maintaining provision and determining the value of open space, sport and recreation facilities in the absence of a robust and up to date local assessment of needs and locally derived standards of provision,
- 3.2 The UDP states that Policy R1 applies to the following types of open space and land, buildings and routes used for routes used for sport and recreation purposes:
 - a. **Parks and Non-Domestic Gardens;**
 - b. **Natural and Semi-Natural Urban Greenspaces;**
 - c. **Green Corridors;**
 - d. **Outdoor Sports Facilities;**
 - e. **Amenity Greenspace;**
 - f. **Purpose made recreation facilities for young people;**
 - g. **Allotments, Community Gardens and Urban Farms;**
 - h. **Cemeteries, Churchyards, and Other Burial Grounds;**
 - i. **Civic and Market Squares;**

- j. Indoor built facilities used for sport and recreation; and**
- k. Accessible Countryside in Urban Fringe Areas.**

3.3 Policy R1.1 seeks to ensure the protection and improvement of existing open space, and outdoor sport or recreation facilities:

“The Council will only permit development which would result in the loss of an open space as defined in Policy R1 (A-K, excluding J), that is currently or was most recently used as open space, or for sport or recreation, provided that the development will deliver a benefit to the local community that would outweigh the harm resulting from the loss of open space; and

- a. a replacement facility, is provided by the developer on another site prior to the use of the existing site / facility being terminated, which is at least as accessible to current and potential users, and at least equivalent in terms of usefulness, attractiveness and quality to the existing; or**
- b. if replacement on another site is neither practicable nor desirable, a contribution is made by the developer to the Council for new provision or the improvement of existing open space or outdoor sport and recreation facilities within an appropriate distance from the site, or within the site, to remedy such an identified deficiency in quantity or quality of such, the scheme to be agreed with the Local Planning Authority; or**
- c. a mixture of both a. and b.”**

3.4 The policy then goes on to identify exceptions to the above (see Appendix 2) and ends with the following:

“...In respect of on or off–site replacement or enhanced open space and / or recreational facilities, all of the following will apply:

- iv) The Council’s standards of provision will be applied;**
- v) The developer will be expected to enter into a section 106 planning obligation with the Council, where appropriate, in order to secure the provision and funding;**
- vi) Unless other ways of securing the maintenance of the open space are agreed with the Council, the developer will normally be expected to enter into a section 106 planning obligation**

- with the Council relating to the dedication and ongoing maintenance of the facility; and
- viii) **The location and design of any new, replacement or enhanced open space and facilities should comply with the provisions of Policy R2.2.”**

3.5 The full policy wording with its reasoned justification can be found in Appendix 2.

3.6 Policy R2.1 sets out the requirements for new and improved open space, sport and recreation facilities and residential developments:

“For developments of 30 or more dwelling units, there will be a requirement for the on-site provision of public open space, and/or outdoor sport and recreation facilities, examples of which are listed in Policy R1.

Where there is evidence of an existing or potential local deficiency in open space or sport or recreation facilities and the development proposed is for 5-29 dwelling units inclusive, there will be a requirement for on-site provision unless there are exceptional circumstances that mean it is neither practicable nor desirable to do so. In this case one of the following alternatives will be required:

- a. **the provision of open space, sport and recreation facilities by the developer on another site which should be at least as accessible to the occupiers of the new dwellings, and convenient for existing residents in the area, and at least equivalent in terms of usefulness, attractiveness and quality, as if provision were being made on-site; or**
- b. **if it is agreed that provision on another site is neither practicable nor desirable, the developer will be required to make a payment to the Council in lieu of the capital costs of the provision, for the Council itself to use the funds to provide the additional facilities or to improve existing facilities in the general locality of the development site; or**
- c. **a mixture of both approaches to be agreed with the Local Planning Authority.”**

3.7 The full policy wording with its reasoned justification can be found in Appendix 3.

Oldham MBC Interim Planning Position Paper for the Planning of Open Space, Sport and Recreation

- 3.8 In response to Planning Policy Guidance note 17 on Planning for Open Space, Sport and Recreation (PPG17) in July 2005 the Council commissioned PMP consultants to undertake a local needs assessment and audit (steps 1 and 2 of the five step process outlined in the Companion Guide to PPG17) and put forward recommendations for locally derived standards of provision (step 3). This work was undertaken in accordance with the requirements of PPG17 and it's Companion Guide.
- 3.9 Following completion of the local needs assessment and audit by PMP (September 2006) it was decided to use the information collected and apply it to the Council's standards of provision set out in the UDP, thus updating the 1994 open space provision survey information. This is until such a time that the Council are able to complete the remaining steps identified within the Companion Guide to PPG17 and incorporate locally derived standards within the Local Development Framework (LDF).
- 3.10 The Cabinet approved an Interim Planning Position Paper on Open Space, Sport and Recreation Provision on 19th March 2007. The approach enables the Council to assess the development of open space for alternative uses and to identify where there are surpluses and deficiencies in provision based on robust and up to date information. Ensuring that provision is directed towards where the need is greatest, in order to maximise community benefit and protect and improve open space throughout the Borough.
- 3.11 The Interim Planning Position Paper has informed this draft SPD which will supersede the majority of the Paper when adopted (Paragraph 6.13 to 6.15 of the Interim Planning Position Paper will remain council policy).

4. OPEN SPACE, SPORT AND RECREATION PROVISION WITHIN THE BOROUGH

- 4.1 In order to apply the audit information collated by PMP the typologies assessed in the audit have been allocated, as appropriate, between the following three categories used for the Council's standard of provision set out in the UDP (see policy R1 in Appendix 1):
- Category 1: Sports Pitches;
 - Category 2: Formal and Informal Children's Play; and
 - Category 3: Other Open Space

- 4.2 Details of which types of open space, sport and recreation facilities that have been allocated into each of these categories can be found in Appendix 4.
- 4.3 The amount of provision within each of these categories has been calculated based on the twenty wards of the Borough providing an indication of the surplus and deficiencies in provision. The wards are grouped into the thirteen Community Councils of Oldham Metropolitan Borough.
- 4.4 The tables in Appendix 5 shows the technical details of the three categories of open space, sport and recreation provision across the twenty wards. Table 1 provides a summary of the information by Community Councils and Wards.

Table 1: Surpluses and Deficiencies (measured in Hectares) of the three open space categories at ward level. (2008)

Ward	Category 1: Sports Pitches Surplus and Deficiencies ¹	Category 2: Formal and Informal Children's Play Surplus and Deficiencies	Category 3: Other Open Space Surplus and Deficiencies
Chadderton Community Council			
Chadderton North	- 0.58	- 0.27	+ 0.71
Chadderton Central	- 0.21	- 0.50	+ 0.40
Chadderton South	- 0.46	- 0.32	+ 0.13
Alexandra Community Council			
Alexandra	- 0.32	- 0.35	- 0.26
Medlock Vale Community Council			
Medlock Vale	+ 0.14	+ 0.06	+ 0.51
Werneth Community Council			
Werneth	- 1.09	- 0.59	+ 0.24
Coldhurst Community Council			
Coldhurst	- 1.14	- 0.04	- 0.09
Failsworth Community Council			
Failsworth East	- 0.38	- 0.65	+ 0.44
Failsworth West	- 0.47	- 0.32	+ 0.06
Hollinwood Community Council			
Hollinwood	- 0.04	- 0.07	+ 0.34

¹ This only includes school playing fields that are publicly accessible.

St James' Community Council			
St James'	- 0.22	+ 0.15	+ 0.67
Waterhead Community Council			
Waterhead	- 1.14	- 0.58	+ 0.13
St Mary's Community Council			
St Mary's	- 0.51	+ 0.17	- 0.32
Saddleworth and Lees Community Council			
Saddleworth West and Lees	- 0.94	- 0.46	- 0.14
Saddleworth South	+ 0.36	- 0.43	+ 0.25
Saddleworth North	- 0.61	- 0.46	- 0.25
Shaw and Crompton Community Council			
Crompton	- 0.20	- 0.66	+ 0.48
Shaw	- 0.80	- 0.57	+ 0.94
Royton Community Council			
Royton North	- 0.93	- 0.20	- 0.16
Royton South	+ 0.50	- 0.43	+ 0.13

- 4.5 Where a site lies adjacent to a ward boundary, surpluses and deficiencies of open space, sport and recreation facilities in the adjacent ward or wards will be taken into account as appropriate.
- 4.6 Where the surplus figure is +0.15 hectares or below this should be treated as a "potential local deficiency" and open space provision should be sought in accordance with UDP policy R2.1. This is based on the UDP policy that requires public open space provision of five or more dwellings at an equivalent rate of 30 metres squared per dwelling, which equates to 0.15 hectares.

5. MONITORING

- 5.1 The creation of new, and the loss of existing, open space, sport and recreation facilities will be monitored. On the 31 March each year the net change, over the financial year, in the extent of protected open space and the amount of eligible open spaces managed to Green Flag award standard will be established and will inform the Annual Monitoring Report. Through this monitoring it will be possible to update surplus and deficiency figures as appropriate.

6. OTHER STRATEGIES AND PLANS

- 6.1 The UDP policies refer to the need to take into account relevant local strategies approved by the Council when considering where new/replacement provision and financial contributions should be directed to (see paragraphs 10.33, 10.34, 10.57 and 10.59 of the UDP).
- 6.2 A Playing Pitch Strategy for the Borough was approved in August 2004, which sets out a vision over the next 5-20 years for Oldham Metropolitan Borough Council and its partners in relation to the provision and improvement of playing pitches and associated facilities within the Borough.
- 6.3 The Council also have a Greenspace Strategy, adopted in April 2004. It is proposed to revise the Greenspace Strategy during 2008, to create a strategic framework that will enable the effective planning, development, management and maintenance of open space, sport and recreation facilities in a co-ordinated manner to meet the needs of the community.
- 6.4 There are also a variety of other strategies which relate to, and have implications for, the provision of open space, sport and recreation facilities within the Borough, these include the:
- i. Facilities Strategy (October 2007);
 - ii. Play Strategy (September 2007);
 - iii. Rights of Way Improvement Plan (December 2007); and
- 6.5 Masterplans may also be prepared from time to time to direct and assist with regeneration activity within the Borough.

7. IMPLEMENTATION OF UDP POLICY R1.1

- 7.1 The following section looks at the implementation of policy R1.1.
- 7.2 Where it is concluded that the development would deliver a benefit to the local community that would outweigh the harm resulting from the loss of open space, in whole or part, a replacement facility and/or a commuted sum will be sought in accordance with Policy R1.1. The mechanisms for how this will be sought are set out below.

Seeking a Replacement Facility and/or Financial Contribution

- 7.3 The initial presumption is for the developer to make new provision. The Council will, in assessing whether a replacement facility or the enhancement of existing facilities is most appropriate, refer to the:
- i) Standards of provision set out within policy R1 of UDP (see appendix 2);
 - ii) Surplus and deficiencies in provision (see section 4 of draft SPD);
 - iii) Any relevant local strategies approved by the Council (see section 3);
 - iv) Accessibility to existing provision; and
 - v) Quality of existing provision.

Replacement Provision

- 7.4 The details of the replacement facility to be provided by the developer on another site will be a matter of negotiation between the developer and the Council.
- 7.5 Provision will be secured by a “Grampian” condition and section 106 planning obligation between the Council and developer where appropriate.
- 7.6 The amount and type will be negotiated with the Council. The Council will have regard to the targets of provision set out in UDP Policy R1, and take into account surpluses and deficiencies in provision to identify what type of provision should be provided (see paragraph 6.3).
- 7.7 Any replacement would have to be at least equivalent in terms of usefulness, attractiveness and quality to that which it is replacing. The cost of replacing a facility will therefore vary from site to site (see section 8). Replacement facilities must also comply with the relevant national/EU standards, which may require the replacement to have an improved specification than provided by the original site.

Financial Contribution

- 7.8 Where the Council accepts that it is not practicable or desirable for the developer to provide a replacement facility, the developer would have to ask the Council to undertake works to compensate for the loss of

open space. This could be the provision of new facilities elsewhere, or improvements to existing facilities.

- 7.9 The developer would then be required to pay a capital sum to the Council and expected to enter into a Section 106 planning obligation to secure the funding (see section 11).
- 7.10 Paragraph 10.35 of the UDP identifies where financial contributions could be directed. In accordance with paragraph 7.3 of this Draft SPD, this will be informed by an assessment of surplus and deficiencies in provision, the accessibility and quality of existing provision and any relevant local strategies approved by the Council. This will help to identify which sites within the locality of the development could benefit from enhancement, and the type of improvements required.

Maintenance

- 7.11 The capital sum payable to the Council for the replacement provision will be based on the laying out costs of the particular type or types of provision that the developer would have otherwise provided on another site (see section 8).
- 7.12 If the Council is to take on the maintenance responsibility, developers will be required to commute a sum to pay for it, secured through a Section 106 planning obligation (see section 8).

Implementation on the Rochdale Canal Special Area of Conservation

- 7.13 UDP policy R1.1 relates to those typologies of open space defined in policy R1 (A – K excluding J). This includes green corridors, which in Appendix D of the UDP are defined as “...*river and canal banks, cycle ways and rights of way, for walking, cycling, or horse riding, whether for leisure or travel, and opportunities for wildlife migration.*”
- 7.14 Where the replacement or creation of new open space, sport and recreation facilities would affect the Rochdale Canal Special Area of Conservation there will be a need to demonstrate that enhanced recreation provision on the canal will not harm the special nature conservation value of the canal (see Section 6, Appendix 2 of Habitats Regulations Assessment for the draft Open Space, Sport and Recreation Provision SPD).

8. IMPLEMENTATION OF UDP POLICY R2.1

Developments of 30 or more dwelling units

- 8.1 UDP policy R2.1 states that:

“For developments of 30 or more dwelling units, there will be a requirement for the on-site provision of public open space, and/or outdoor sport and recreation facilities.”

- 8.2 Provision of publicly available and usable open spaces for children’s play, amenity purposes or non-pitch sports should normally be made at a rate of not less than 30 square metres per dwellings, to meet the Council’s standard of provision of provision of 1.2ha per 1000 persons.
- 8.3 The Council will negotiate with the developer the type of open space required in any particular case. The Council will have regard to the surplus or deficiencies in provision within the local area to determine what kind of open space, sport or recreation facility should be provided to meet local needs (see paragraph 6.3).
- 8.4 The details, such as location within the site, design, equipment where relevant, drainage and maintenance arrangements will need to be agreed beforehand with the Council and secured by planning condition or, where appropriate, section 106 planning obligation.
- 8.5 It is recognised that the requirement of on-site provision of open space on some developments of 30 dwellings may not always be practicable. The Council’s approach for dealing with such developments will be set out in a revised Interim Planning Position note (see paragraph 6.13 of Interim Planning Position Paper).

Development of 5 to 29 dwelling units

- 8.6 Where there is evidence of an existing or potential local deficiency in open space or sport or recreation facilities the presumption will be for on-site provision unless there are exceptional circumstances that mean it is neither practicable or desirable to do so. In this case a replacement facility off-site and/or a financial contribution will be sought.

Demonstrating an existing or potential local deficiency

- 8.7 Policy R2.1 places the onus on the Council to demonstrate that there is an existing or potential local deficiency where developments are for 5 to 29 dwelling units.
- 8.8 To inform the decision making process consideration should be given to whether or not there are any surplus and deficiencies within the relevant ward (see section 4).
- 8.9 Where the surplus figure is +0.15ha or below this should be treated as a “potential local deficiency” and open space provision should be sought in accordance with UDP Policy R2.1 (see paragraph 4.6).

Determining whether or not provision should be on or off-site

- 8.10 In the case of developments of 5-29 dwellings, the initial presumption is for on-site provision.
- 8.11 The Council may permit the developer to provide some or all of the required open space, sport or recreation facilities off site, where one of the following applies:
- i) It is considered that more community or public benefit would be derived if the provision were off-site;
 - ii) There is already a known surplus of provision close to the proposed development and a known deficiency can be met elsewhere;
 - iii) There is unsuitable topography on site; or
 - iv) Due to the restricted size of the site, it might not be viable or desirable to provide a usable open space, sport or recreation facility.
- 8.12 The need for on-site provision will be assessed on a case-by-case basis, and a judgement reached based on the above, in accordance with UDP Policy R2.1.
- 8.13 Where on-site provision is sought the Council will negotiate with the developer the type of open space required in any particular case. The Council will have regard to the surplus and deficiencies in provision within the local area to determine what kind of open space, sport or recreational facility should be provided to meet local needs (see paragraph 6.3).

Securing provision

- 8.14 Where the developer is to provide off-site open space and/or facilities, the location of new facilities will be negotiated with the Council.
- 8.15 Such provision should be in the locality (i.e within 400 metres walking distance), and be accessible to the occupiers of the new development, and thereby principally of benefit to the development itself. In some instances, consideration may also be given to providing new facilities in adjacent neighbourhoods where there is a known deficiency.
- 8.16 When deciding where off-site open space should be provided regard will be had to the information identified in paragraph 7.3.

Securing funding

- 8.17 Where the Council is satisfied that the developer is unable to provide open space or sport or recreation facilities either on or off-site or that it is not desirable to do so, it may exceptionally agree to carry out alternative works, effectively on a developer's behalf. This will be subject to the developer paying a commuted sum in lieu of providing and maintaining the required level of open space provision.
- 8.18 The amount required and location of new provision or sites that should be improved will be guided by the Council's aforementioned standards and an assessment of the information identified in paragraph 7.3, taking into account paragraph 10.59 of the UDP.
- 8.19 Contributions will be secured through a Section 106 planning obligation. The capital sum payable to the Council in lieu of the developer carrying out the works will be based on the costs of the developer laying out the area/facility (see section 8).

Phased Development

- 8.20 In the case of a phased development of a single development site, the Council will use an assumed capacity for the whole site to assess any requirement for the provision of open space and sport and recreation facilities. Individual phases of the development, even if taken in isolation they are below the relevant policy thresholds, will then be required to make a pro rata contribution to the provision of the open space requirement accruing to the whole site.

Maintenance

- 8.21 Where open space, sport and recreation provision has been provided or funded by developers as part of a new development, the developer will be required to commute a sum, secured by a Section 106 planning obligation, to the Council to pay for the maintenance of the facility.

9. LAYING OUT AND MAINTENANCE COSTS

- 9.1 The capital sum made payable to the Council in lieu of the developer carrying out the works will be based on the cost of the developer laying out the area / facility that would otherwise have been provided on or off-site.
- 9.2 For the purposes of the draft SPD open space, sport and recreation is split into three categories:

1. Sports Pitches

2. Informal and Formal Children's Play (including amenity green space and provision for children and young people); and
 3. Other Open Space (including parks and gardens, non-pitch sports and allotments).
- 9.3 Costs are therefore required for each (in the case of 5 – 29 dwellings where there is an existing or potential local deficiency) of these three categories taking into account the range of open space, sport and recreation typologies included within each category.
- 9.4 Costs included within this draft SPD are calculated on the basis of laying out costs and also the maintenance costs of such provision. The draft SPD sets out the scale of charges and rates levied (£/metre squared) by category, based on the size of each dwelling, as measured by the number of bedrooms). It uses the standards for the 3 categories of open spaces, sport and recreation contained within the UDP which are: Sports Pitches: 1.2hectares per 1000 people; Formal and Informal Children's Play: 0.8hectares per 1000 people; and Other Open Space: 0.4hectares per 1000 people.
- 9.5 These standards are used to calculate the level of provision per person/ bedspace and the following assumption is used: 1 bed house = 2 bedspaces etc.
- 9.6 The scale of charges and rates will be reviewed annually to ensure they remain an accurate reflection of the actual cost of provision, and keep in line with inflation. Therefore they will be increased accordingly in line with the Retail Price Index.
- 9.7 Maintenance is critical to the success of sustainable new or enhanced provision. As previously stated, if the Council is to take on the maintenance responsibility, developers will be required to commute a sum to pay for it, secured through a Section 106 planning obligation.
- 9.8 The developer will have to commute a sum to the Council, equivalent to a reasonable period of annual maintenance of at least 12 years. Whilst it is considered appropriate for formal and informal children's play (category 2) and other open space (category 3) to have a maintenance period of at least 12 years, sports pitches (category 1) are expected to be constructed to a standard that will be playable for a minimum of 20 years with out the need for major capital works to be undertaken. Sports pitches will therefore require maintenance costs to cover at least the first 20 years of maintenance.
- 9.9 The maintenance cost will cover at least the first 12 years maintenance and will include an annual percentage increase based on the Retail Price Index (RPI) published by the Office of National Statistics (www.statistics.gov.uk) to ensure that the real value of the contribution does not decline over the twelve year period.

- 9.10 To ensure that a consistent formula is applied the draft SPD sets out the rates (£/metre squared) on which the calculation of the relevant elements (surfacing, equipment, fencing etc) of commuted sums for maintenance are based (details awaited).

CATEGORY 1: SPORTS PITCHES

- 9.11 An average sports pitch measures 100m x 90m and including run-offs and ancillary requirements this increases to 9,775 m², which, for the purpose of this draft SPD will be the size used. This is based on guidance from the National Playing Fields Association.

Laying out costs (sports pitches)

- 9.12 The cost for laying out the average sports pitch is £241,750 or £24.73 per m². This cost excludes land purchase, but includes car parking, changing accommodation x 2, referees room, construction and fees.
- 9.13 The UDP standard for sports pitches is 1.2ha per 1000 people. This equates to £296.76 per bedspace for laying out costs.

Maintenance costs (sports pitches)

- 9.14 Maintenance for sports pitches is £5,000 per annum. Developers will be required to contribute towards a 20 year period of maintenance in view of the expected life span of a sports pitch (see paragraph 8.8). This will cover the upkeep of the sports pitch (aeration, grass cutting etc.), line marking, goal posts, litter picking, reinstatement, the upkeep, staffing and cleaning of changing rooms and the resurfacing of the car park. This is equivalent to £122.76 per bedspace for maintenance over 20 years.

Table 2: Table of developer contributions for Laying out and Maintenance of Category 1: Sports Pitches (See Appendix 7 for overview table of laying out costs and maintenance costs for all categories of open space, sport and recreation provision.)

Size of dwelling	Laying-out Cost (£)	Maintenance cost (£) over 20 years
1 bed	593.52	245.52
2 bed	890.28	368.28
3 bed	1187.04	491.04
4 bed	1483.80	613.80
5 bed plus	1780.56	736.56

CATEGORY 2: FORMAL AND INFORMAL CHILDREN'S PLAY

- 9.15 This category includes two types of provision;
- a) amenity green space; and
 - b) provision for children and young people.

The average cost for the provision and maintenance of these typologies will be used to calculate the contribution rates for this category.

Typology a) Amenity Green Space

- 9.16 The average size of a piece of amenity green space is 400 m². This type of space includes informal recreation spaces and green spaces in and around housing with a primary purpose of providing opportunities for informal activities such as play. The size and costs used for this typology are based on an analysis of amenity green space schemes completed by the Council.

Laying out Costs (Amenity Green Space)

- 9.17 The laying out cost for an average amenity green space scheme is £4,050. This equates to £10.13 per m² to layout amenity green space.

Maintenance Costs (Amenity Green Space)

- 9.18 The average maintenance cost for amenity green space is £2,000 per annum or £5 per m². This includes general upkeep and maintenance of the site including grass cutting.

Typology b) Provision for Children and Young People

- 9.19 Two types of provision are being used here for the purposes of calculating costs within this draft SPD. They are:
- Local Equipped Area for Play (LEAP); and
 - Neighbourhood Equipped Area for Play (NEAP).

However other types of provision for children and young people should and will be provided, such as Multi Use Games Areas (MUGA's), Trim trails (outdoor exercise stations and equipment), youth shelters, skate parks etc.

Laying out Costs (LEAP)

- 9.20 The average size of a LEAP (Local Equipped Area for Play) is 400 m² and the average laying cost for a LEAP is £75,000. This is equivalent

to £187.50 per m2. A LEAP should include a minimum of five items of play equipment such as swings, a roundabout, climbing frame, slide and springers. They should also include safety surfacing, dog fencing, litter bins, benches and other furniture, signage and landscape features.

Maintenance Costs (LEAP)

- 9.21 The average maintenance is £4,000 per annum or £10 per m2. This will ensure that: the site is kept litter and glass free; equipment works safely; litter bins are emptied; safety surfacing is maintained to an appropriate standard; dog proof fencing/gates are maintained to an appropriate standard and signage is provided and maintained.

Laying out Costs (NEAP)

- 9.22 NEAP (Neighbourhood Equipped Area for Play) is aimed at older children over a larger residential area and should have a greater variety of facilities than a LEAP. The average size of a NEAP is 1000sqm and the average laying out cost is £186,000. This equates to £186 per m2.

Maintenance Costs (NEAP)

- 9.23 The average maintenance of a NEAP is £4000 per annum or £4 per m2. This will ensure that: the site is kept litter and glass free; equipment works safely; litter bins are emptied; safety surfacing is maintained to an appropriate standard; dog proof fencing/gates are maintained to an appropriate standard and signage is provided and maintained.

Average Laying out Costs Category 2: Formal and Informal Children's Play

- 9.24 Taking into account the three types of facilities the average costs of laying-out informal and formal children's play is £127.88 per m2. The UDP Standard for formal and informal children's play is 0.8ha per 1000 people. This equates to £1023.04 per bedspace to lay out.

Average Maintenance Costs Category 2: Formal and Informal Children's Play

- 9.25 Taking into account the three types of facilities the average maintenance cost for formal and informal children's play is £6.33 per m2. Developers will be expected to contribute towards a 12 year maintenance period in relation to formal and informal children's play provision.

- 9.26 The UDP Standard for formal and informal children’s play is 0.8ha per 1000 people. This equates to £607.68 per bedspace for maintenance costs over 12 years.

Table 3: Table of developer contributions for laying out and maintenance of Category 2: formal and informal children’s play facilities (See Appendix 7 for overview table of laying out costs and maintenance costs for all categories of open space, sport and recreation provision.)

Size of dwelling	Laying-out Cost (£)	Maintenance cost (£) over 12 years
1 bed	2046.08	1215.36
2 bed	3069.12	1823.04
3 bed	4092.16	2430.72
4 bed	5115.20	3038.40
5 bed plus	6138.24	3646.08

CATEGORY 3: OTHER OPEN SPACE

- 9.27 This category consists of three typologies:
- a) Non pitch sports (i.e. tennis, bowling green, athletics track and sports pitches of less than 0.4ha. See Appendix 4 for further detail))
 - b) Parks and Gardens
 - c) Allotments and Community Gardens
- 9.28 Laying out costs for each of these typologies are set out below. The costs will be averaged out to provide an overall rate for the other open space category.

Typology a) Non Pitch Sports

- 9.29 There are a range of non pitch sports such as bowling greens, tennis courts and athletics tracks. For the purposes of this draft SPD, costs for bowling greens and tennis courts have been used.

Laying out Costs (non pitch sports)

- 9.30 The average size of a bowling green is 1600 m² and costs £70,000 to layout. This is equivalent to £43.75 per m². This includes a green, run-off, green surrounds, furniture, irrigation, footpaths and a basic hut.

- 9.31 The average tennis court is 420 m² and costs £41,160 to layout. This is equivalent to £98 per m². This includes run-off, ball stop fencing, surfacing, court markings, posts and nets.
- 9.32 The average laying out cost for non-pitch sports is therefore £70.88 per m².

Maintenance Costs (non pitch sports)

- 9.33 The maintenance cost for a bowling green is £15,000 per annum or £9.38 per m². This includes a detailed mowing regime and grass care (seeding, rolling etc).
- 9.34 The maintenance cost for a tennis court is £1,030 per annum or £2.45 per m². This includes site inspection, court markings, nets and cleaning.
- 9.35 The average maintenance cost for non pitch sports is therefore £5.92 per m².

Typology B) Parks And Gardens

- 9.36 It is recognised that parks and gardens can vary greatly in size and in terms of the facilities provided within it, however, for the purposes of this draft SPD an average park and garden measures 100m x 100m (10,000 m²).

Laying Out Costs (Parks and Gardens)

- 9.37 The cost for laying out the average park and garden is £500,000. This excludes land purchase, play facilities and pitch and non-pitch sport but does include hard and soft landscaping. This equates to £50 per m².

Maintenance Costs (Parks and Gardens)

- 9.38 Maintenance costs for parks and gardens equates to £6,000 per annum or £0.60 per m². This cost includes replenishing planting, general maintenance, grass cutting, upkeep of shrub beds, paths, bins and park furniture.

Typology C) Allotments and Community Gardens

- 9.39 The minimum size of an allotment plot is 200 m². An average allotment site comprises of 16 plots and is therefore 3,200 m² in total.

Laying Out Costs (Allotments and Community Gardens)

- 9.40 The cost of laying out the average allotment site and community garden is £120,000. This cost excludes land purchase but includes a community building (comprising of male, female and disabled toilets), water points to each plot, road/path network (tarmac), security fencing, one shed per plot and car parking. This equates to £37.50 per m2.

Maintenance Costs (Allotments and Community Gardens)

- 9.41 The average maintenance cost for allotments and community gardens is £1,500 per annum or £0.47 per m2. This cost will cover the upkeep and maintenance of communal buildings and communal carparks, roadways and paths and will ensure a water supply is provided for the site. The costs will also ensure that the site is securely protected.

Average Laying Out Costs Category 3: Other Open Space

- 9.42 Taking into account the three typologies the average cost of laying-out other open space is £52.79 per m2. The UDP Standard for other open space is 0.4ha per 1000 people. This equates to £211.16 per bedspace to layout.

Average Maintenance Costs Category 3: Other Open Space

- 9.43 Taking into account the three typologies, the average maintenance cost for other open space is £2.33 per m2. Developers will be expected to contribute towards a 12 year maintenance period in relation to other open space provision.
- 9.44 The UDP standard for formal and informal children’s play is 0.4ha per 1000 people. This equates to £111.84 per bedspace for maintenance costs for other open space over the 12 years.

Table 4: Table of developer contributions for laying out and maintenance of Category 3: other open spaces: (See Appendix 7 along for overview table of laying out costs and maintenance costs for all categories of open space, sport and recreation provision.)

Size of dwelling	Laying-out Cost (£)	Maintenance cost (£) over 12 years
1 bed	422.32	223.68
2 bed	633.48	335.52
3 bed	844.64	447.36
4 bed	1055.80	559.20
5 bed plus	1266.96	671.04

- 9.45 Examples of the developer contribution figures being applied to residential developments of a variety of bedspace numbers, located in

wards with various surpluses and deficiencies of open space, sport and recreation provision can be found in Appendix 7 along with an overview table of laying out costs and maintenance costs for all categories of open space, sport and recreation provision.

10. LOCATION AND DESIGN

- 10.1 The location and design of any new, replacement or enhanced open space, sport and recreation provision should comply with the provisions of UDP policy R2.2. It should also meet the specifications of the Urban Design Guide Supplementary Planning Document (adopted 1st October 2007), and the Council's "Adoptable Standards for the design of landscape and open space projects" document produced by the Environmental Services Directorate (May 2004).

11. ENTERING INTO A SECTION 106 PLANNING OBLIGATION

- 11.1 This section looks at the process for entering into a Section 106 (S106) planning obligation.

Planning Policy Guidance 17 (PPG17) (2002) "Planning for open space, sport and recreation"

- 11.2 PPG17 identifies the need for local planning authorities to use planning obligations as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision. PPG17 justifies the need for local planning authorities to seek planning obligations where the quantity or quality of provision is under threat, or where new development increases local needs.

Circular 05/2005 "Planning Obligations"

- 11.3 The purpose of this Circular is to provide guidance on the use of planning obligations in England under Section 106 of the Town and Country Planning Act 1990 as substituted by the Planning and Compensation Act 1991.
- 11.4 The Circular states that planning obligations should only be sought where they meet five identified tests. The tests ensure that a planning obligation must be:
- a. Relevant to planning;
 - b. Necessary to make the proposed development acceptable in planning terms;
 - c. Directly related to the proposed development;
 - d. Fairly and reasonably related in scale and kind to the proposed development; and

- e. Reasonable in all other respects.

Section 106 Planning Obligations, Good Practice Guide (Revised October 2007) (Oldham MBC)

- 11.5 The Good Practice Guide explains the use of, and procedures for the preparation of Section 106 planning obligations in Oldham Metropolitan Borough and will inform how Section 106 planning obligations are secured through this draft SPD.
- 11.6 Since planning obligations may involve developers making a financial contribution to the Council, it is essential that such arrangements are operated in a way, which is seen to be fair, open and reasonable in order to retain public confidence in the fundamental principle that planning permission cannot be bought or sold.
- 11.7 The Good Practice Guide can be found on the Council's website at www.oldham.gov.uk.
- 11.8 Where planning obligations involve the payment of a financial contribution to the Council, applicants will be made aware by the case officer of at least the approximate level of the contribution, and what the contribution may be spent on, during negotiations and well in advance of the application being considered by Planning Committee.
- 11.9 Contributions will be refunded if not spent within 5 years of receipt, unless otherwise agreed with the developer.
- 11.10 In exceptional circumstances, the Council may consider a reduction in the amount payable in order to achieve other agreed planning or design objectives. Each individual application and Section 106 planning obligation is determined by its merits and the requirements in the locality.
- 11.11 Contributions will be grouped where it is considered appropriate. This may be for example, where:-
 - i) The contribution is too small to achieve any significant impact/benefit on its own;
 - ii) Where extended funding requires a certain level of match funding to be raised before it can be drawn down; and
 - iii) Where a number of developments will be happening over a period of time within for example a Masterplan area.

APPENDICES

Appendix 1: UDP Policy

Appendix 2: UDP Policy R1.1

Appendix 3: UDP Policy R2.1

Appendix 4: Allocation of PMP Typologies to UDP Standards

Appendix 5: Surplus and Deficiencies

Appendix 6: Flow Charts showing implementation of UDP policies R1.1
and R2.1

Appendix 7: Application of Laying Out and Maintenance Costs

Appendix 8: Useful Website Links

Appendix 9: Useful Oldham MBC Contacts

Appendix 10: Glossary of Terms

APPENDIX 1: UDP POLICY R1

UDP Policy R1

PART 1 POLICY

MAINTAINING SUPPLY THROUGH THE PROTECTION AND IMPROVEMENT OF EXISTING OPEN SPACE, SPORT AND RECREATION FACILITIES.

R1 THE COUNCIL WILL PROTECT FROM INAPPROPRIATE DEVELOPMENT THE FOLLOWING TYPES OF OPEN SPACE AND LAND, BUILDINGS AND ROUTES USED FOR SPORT AND RECREATION PURPOSES, UNLESS THE APPLICANT CAN DEMONSTRATE, THROUGH AN INDEPENDENT ASSESSMENT, THAT THEY ARE NOT VALUED BY THE COMMUNITY, AND WILL WHERE APPROPRIATE REQUIRE THE IMPROVEMENT OF EXISTING FACILITIES WHICH PERFORM AN OPEN SPACE, SPORT OR RECREATION FUNCTION:

- A. PARKS AND NON – DOMESTIC GARDENS;**
- B. NATURAL AND SEMI-NATURAL URBAN GREENSPACES;**
- C. GREEN CORRIDORS;**
- D. OUTDOOR SPORTS FACILITIES;**
- E. AMENITY GREENSPACE;**
- F. PURPOSE MADE RECREATION FACILITIES FOR YOUNG PEOPLE;**
- G. ALLOTMENTS, COMMUNITY GARDENS AND URBAN FARMS;**
- H. CEMETERIES, CHURCHYARDS, AND OTHER BURIAL GROUNDS;**
- I. CIVIC AND MARKET SQUARES;**
- J. INDOOR BUILT FACILITIES USED FOR SPORT AND RECREATION;**
- AND**
- K. ACCESSIBLE COUNTRYSIDE IN URBAN FRINGE AREAS**

TO THAT END, THE DEVELOPMENT OF OPEN SPACES, SPORT OR RECREATIONAL FACILITIES FOR ALTERNATIVE USES WILL NOT BE PERMITTED, EXCEPT AS PROVIDED FOR ELSEWHERE IN THIS PLAN. THE COUNCIL WILL SEEK TO MAINTAIN A SUPPLY OF OPEN SPACES, SPORT AND RECREATION FACILITIES THROUGH NEW AND IMPROVED PROVISION, IN ACCORDANCE WITH IDENTIFIED STANDARDS.

10.10 The table in Appendix D illustrates the broad range of open spaces that may be of public value within each category above, and to which the policies contained in the chapter should apply.

10.11 PPG17 advises that policies should protect open spaces and sport and recreation facilities that are of high quality, or of particular value to the community. In terms of built facilities, it is also proposed to protect the most accessible ones, which will probably be those located in the Town Centre or District Centres or within schools.

- 10.12 Some open spaces or sport and recreation facilities will be more valuable to the community than others, and this may be difficult to assess. Generally value will depend on the quality of a facility and in most cases how accessible it is. The level of usage, irrespective of the quality of facilities or level of maintenance, is also an indication of the facility's value. A highly accessible facility, even if it is of poor quality, may be immensely valuable. However, under-use is not necessarily an indication of a lack of demand. Exceptionally, poor accessibility may also be a cause of value, for example in the case of a wildlife habitat which may be sensitive to disturbance or use.
- 10.13 Some open spaces, sport and recreation facilities within the typology lie within areas allocated for other purposes in the UDP or on previously developed land which the Council intends to safeguard for development. The establishment and protection of open space and sport and recreation facilities must not prejudice other objectives of the UDP.
- 10.14 The Council will undertake a "Local Assessment of Needs" for open space, sport and recreation facilities. This will involve, firstly, identifying local needs, and carrying out a comprehensive audit of existing facilities. An analysis of the information from both will enable the Council to set local standards where appropriate for the types listed in the typology. Only when this is completed will it be possible to fully implement the provisions of PPG17. Applying the locally derived standards will enable the identification of surpluses and deficits in provision - areas that are most valuable and as such should be protected, those that can be released for alternative uses, and those that could be improved. Standards for relevant types of provision will relate not just to a required quantity, but also to the quality and, in most cases, the accessibility of provision. PPG17 now places as much emphasis on the quality of what is provided, and how accessible facilities are, as has previously been put on the quantity of facilities. The Council will seek to incorporate these standards into a future review of the Plan as part of the statutory procedure.
- 10.15 Following completion of the Council's assessment, the demonstration through an independent assessment that an open space, sport or recreation facility is not valued by the community will be necessary only where the Council's assessment is not up to date.
- 10.16 As part of the overall open space assessment, a comprehensive Playing Pitch Strategy (PPS) has been prepared for the Council, which determines whether the existing stock is adequate to meet pitch sport needs. The Strategy and action plan will sit alongside the UDP, providing a robust framework within which to implement policies on playing field provision and protection.

- 10.17 In the absence of a robust and up to date local assessment of needs and locally derived standards of provision, the Plan sets out an interim position for the purposes of maintaining provision and determining the value of open space and sport and recreation facilities. The Council will continue to apply quantitative standards as follows:
- i) 1.2 hectares per 1000 people of sports pitches, equivalent to 7 football or rugby pitches and 3.5 cricket pitches per 12,000 people; and
 - ii) 1.2 hectares per 1000 people of other open space, of which 0.8ha should be suitable for formal or informal children's play. This standard also includes open space for non-pitch sports such as tennis, and amenity open space.
- 10.18 The Council's standards for open space, sports and recreation provision are based on the updated standards of the National Playing Fields Association (NPFA) of 2.4 hectares per 1000 people, but differ in including amenity open space. This reflects the fact that open space can have more than one function, and is adopted as an interim position until local standards are established through the needs assessment and audit.
- 10.19 Outdoor children's play includes designated areas providing a range of facilities, and casual playing space within areas of amenity open space. A three tiered structure of designated areas, containing a range of equipped facilities and in locations based on certain walking times, will guide the provision of children's equipped and informal play space across the Borough. Local Areas for Play (LAPS) are small areas for infant school aged children, 1 minute from home. Local Equipped Areas for Play (LEAPS) are for 'juniors' and offer play equipment within 5 minutes walk from homes. Neighbourhood Equipped Areas for Play (NEAPS) should serve older children over a larger residential area within a 15-minute walk, and have a greater variety of facilities. It is the Council's objective that all homes should be within the safe walking distances of each type of facility within the hierarchy, as recommended by the NPFA.
- 10.20 The Council's standard for the provision of non-pitch open space⁴ is 1.2 hectares per 1000 people. This equates to 12 square metres per person. The same standard is applied to the provision of open space in new residential development, and to support the requirement for additional or improved provision on or off-site. Sports pitches are excluded from this requirement, because their provision is considered on a Borough-wide basis, rather than site by site. This is because most participants in formal sport are willing to travel a longer distance to facilities.
- 10.21 Incidental landscaping such as grass verges and "space left over after planning" does not count towards this provision. This may be the subject of design requirements for landscaping set out in the Design of New Development Chapter.

- 10.22 This standard guides the protection and maintenance of supply when considering planning applications for the development of a particular piece of open space within a neighbourhood, based on the Council's 1994 assessment of open space within the Borough. The standard may also be used by the Council as a check for its own schemes for new provision.
- 10.23 As some areas of the Borough are already identified, using the above standards, as having a shortage, particularly of play open space, it is essential that any existing sites within areas of deficiency be protected as far as possible from further development, and that priority is given to improving the existing stock.
- 10.24 All open spaces are protected, other than as allocated for other uses in the policies of this Plan.
- 10.25 The Proposals Map shows all those publicly accessible open spaces above 0.4 hectares within the urban areas that were included in the 1994 open space survey. Sites not indicated on the Proposals Map for reasons of visual clarity, but to which policies still apply, include open spaces and facilities within the Green Belt, those designated as Other Protected Open Land, and those within the boundaries of Green Corridors and Links. Policies will also apply to any new, replaced or exchanged areas of open space secured during the plan period through development proposals, to meet the Council's standards and recreational strategies.
- 10.26 It is important to protect recreational routes, which provide links between open spaces within the urban areas, and between the urban areas and the countryside. They provide opportunities for walkers, cyclists, horse-riders and other non-motorised traffic to travel on green transport networks, thereby improving accessibility and encouraging sustainable recreational activity. They may also provide corridors for wildlife within the urban area. The following strategic recreation routes within the Borough are identified on the Proposals Map.
- Huddersfield Narrow Canal (Ref RR1);
 - Rochdale Canal (RR2);
 - Oldham Way (RR3);
 - Pennine Bridleway (RR4);
 - Pennine Way (RR5);
 - Hunt Lane Recreation Route (RR6);
 - Oldham – Lees Recreation Route (RR7);
 - Greenfield - Uppermill Recreation Route (RR8);
 - Royton Junction Recreational Route (RR9);
 - Oldham Bardsley Recreational Route (RR10);
 - Delph Donkey Recreation Route (RR11);
 - Crompton Circuit (RR12); and
 - Beal Valley Way (RR13).

- 10.27 This policy also protects other recreational routes not shown on the Map, including cycle routes that have been developed as part of the adopted Oldham Cycling Strategy (see Policy T1.3).
- 10.28 The Council's objectives for improving recreational routes across the Borough, including the rights of way network, will be set out in the Council's Rights of Way Improvements Plan.

APENDIX 2 – UDP POLICY R1.1

UDP POLICY R1.1

Maintaining Supply through the Protection and Improvement of Existing Open Space, and Outdoor Sport or Recreation Facilities

The Council will only permit development which would result in the loss of an open space as defined in Policy R1 (A-K, excluding J), that is currently or was most recently used as open space, or for sport or recreation, provided that the development will deliver a benefit to the local community that would outweigh the harm resulting from the loss of open space; and

- a. a replacement facility, is provided by the developer on another site prior to the use of the existing site / facility being terminated, which is at least as accessible to current and potential users, and at least equivalent in terms of usefulness, attractiveness and quality to the existing; or**
- b. if replacement on another site is neither practicable nor desirable, a contribution is made by the developer to the Council for new provision or the improvement of existing open space or outdoor sport and recreation facilities within an appropriate distance from the site, or within the site, to remedy such an identified deficiency in quantity or quality of such, the scheme to be agreed with the Local Planning Authority; or**
- c. a mixture of both a. and b.**

Exceptions to the policy will only be permitted where:

- i). the open space, sport or recreation facility, is not valued by the community as demonstrated by the applicant through an independent assessment; or**
- ii). the proposed development comprises a small scale structure or an engineering operation which is ancillary or complementary to the recreational use of the site or its open space function, and the character is maintained; or**
- iii). the proposed development is for a new outdoor or indoor sport or recreation facility which is of sufficient benefit to the development of sport and recreation, or to the open space function, to outweigh the harm resulting from the loss of the existing open space, and it could not be reasonably located elsewhere, and does not result in a known deficiency in the open space in the area.**

This Policy does not apply to playing fields, or land, which is allocated

for built development under any policy of this Plan, or proposals that relate to cleared sites on previously developed land where there is a clear intention for future development.

In respect of on or off-site replacement or enhanced open space and / or recreational facilities, all of the following will apply:

- iv) The Council's standards of provision will be applied;**
- v) The developer will be expected to enter into a section 106 planning obligation with the Council, where appropriate, in order to secure the provision and funding;**
- vi) Unless other ways of securing the maintenance of the open space are agreed with the Council, the developer will normally be expected to enter into a section 106 planning obligation with the Council relating to the dedication and ongoing maintenance of the facility; and**
- vii) The location and design of any new, replacement or enhanced open space and facilities should comply with the provisions of Policy R2.2.**

10.29 PPG17 underlines the importance of protecting all open spaces, in either public or private ownership, which might have community or public value. This is irrespective of whether the public has access to them, and can include "previously developed" sites. PPG17 suggests that these may include small areas of open space in urban areas that provide an important local amenity and offer sporting or recreational opportunities, those that offer a community resource and can be used for informal events, or open space that particularly benefits wildlife and biodiversity. Once an open space, sport or recreational facility is lost, it may be difficult to replace. Exercising control in this way is a means of maintaining a supply and distribution of facilities, and enhancing provision.

10.30 Any potential loss of open space should be weighed against the wider benefits being offered to the community. For example, the benefits from redeveloping a site as part of a comprehensive housing renewal scheme, or allowing an employment generating use on a site, at the same time as creating opportunities to incorporate replacement and improved open spaces / facilities within developments on better sites, or on more accessible nearby sites, could outweigh the harm resulting from the loss of the open space. As to whether it is considered that the development will deliver a benefit to the local community that would outweigh the harm resulting from the loss of the open space, each application would have to be considered on its own merits.

10.31 Relocating a recreational facility to other (vacant) land that is otherwise unsuitable for development, can prove beneficial to the public, particularly where the alternative replacement facility would be of a higher quality, safer

and / or accessible to more users than the open space to be developed for another use.

- 10.32 Poor quality facilities, like too few, can also restrict opportunities for use. Improvements in the quality of existing facilities can make real differences in the actual usefulness of open spaces. Partial development of an open space to improve the remainder, or complete redevelopment with replacement, and / or enhancement elsewhere, might result in a facility which is likely to be more widely used, because it is better in quality, more accessible or safer. Poor accessibility and the real or imagined threat to personal safety and security are reasons why open spaces are not used to their full potential. Any relocation proposals need to demonstrate that the overall quality and quantity of recreational provision within the Borough will be improved.
- 10.33 The initial presumption is for the developer to make new provision. The details of the replacement facility to be provided by the developer on another site will be a matter for negotiation between the developer and the Council, guided by the provisions of a Council approved local strategy where relevant. Provision will be secured by a “Grampian” condition and section 106 planning obligation between the Council and developer where appropriate. The amount and type will be negotiated with the Council, having regard to achieving the Council’s approved targets of provision. Any replacement would have to be at least equivalent in terms of usefulness, attractiveness and quality to that which it is replacing.
- 10.34 Exceptionally the Council may accept that it is not practicable or desirable for the developer to provide a replacement facility. In this case, the developer would have to ask the Council to undertake works to compensate for the loss of open space. This could be the provision of new facilities elsewhere, or improvements to existing facilities. The developer would then be required to pay a capital sum to the Council and expected to enter into a section 106 planning obligation to secure the funding. The Council will, in assessing whether a replacement facility or the enhancement of existing facilities is most appropriate, refer to the standards of provision, and the latest survey, which reveals known deficiencies or surpluses in the locality, or to a relevant local strategy approved by the Council.
- 10.35 The Council could target resources to existing areas of greatest need. For example, support could be directed to the Council’s forthcoming *Strategic Plan for Greenspace* as referred to in the Greenspace Strategy. Alternatively, the Council may also wish to consider upgrading the strategic recreational routes listed in 10.26 above, or playing fields identified in the Council’s Playing Pitch Strategy (which could increase playing capacity), cycle routes identified in the Network Plan of the Council’s approved Cycling Strategy, or any other site, (including the provision of ancillary or complementary facilities) to which the Council considers the contribution should be directed, in accordance with Circular 05/05.
- 10.36 The capital sum payable to the Council for the replacement provision will be based on the laying out costs of the particular type or types of provision that

the developer would otherwise have provided on another site. Sites that are to be replaced will vary in usefulness, quality and attractiveness and therefore the cost of replacing will vary from site to site. To ensure that a consistent formula is applied, the rates on which the calculation of the relevant elements of the capital sum received from the developer are based, will be set out in a forthcoming supplementary planning document. This document will also contain other “best practice” guidelines that the Council must adhere to when spending developer’s contributions.

- 10.37 Maintenance is critical to the success of sustainable new or enhanced provision. If the Council is to take on the maintenance responsibility, developers will be required to commute a sum to pay for it, secured through a section 106 planning obligation.
- 10.38 The developer will have to commute a sum to the Council, equivalent to a reasonable period of annual maintenance of at least 12 years. To ensure that a consistent formula is applied, the rates (£/sq m) on which the calculation of the relevant elements (surfacing, equipment, fencing etc) of commuted sums for maintenance are based, will be published in a supplementary planning document (SPD). The SPD will also refer to the conditions that will be applicable prior to the Council adopting and taking over the management and maintenance responsibility of the site.
- 10.39 The Council would allow an exception to the policy where the applicant could demonstrate through an independent assessment that the community does not value a site. A methodology acceptable to the Council would have to be used.
- 10.40 The starting point for any assessment would clearly have to be local need and the value that the community assigns to a particular facility. An assessment of value should address where possible:
- a. accessibility, including the cost where relevant of using a facility;
 - b. quantitative deficiency by primary purpose;
 - c. quality;
 - d. usage;
 - e. potential for use for other purposes within the typology; and
 - f. potential to fulfil other functions and wider benefits that open space can perform.
- 10.41 It should also demonstrate that the alternative use delivers a community or public benefit and has the support of the community. In the case of playing fields, support from Sport England would also be required.
- 10.42 Small-scale structures referred to in the Policy, which are ancillary to the use of the site for sport and recreation, or to the open space function, would include for example, toilets, refreshment facilities, changing blocks and small buildings for storing maintenance equipment or housing interpretation centres.

- 10.43 New sports and recreation facilities, the community benefits of which clearly outweigh any harm resulting from the loss of the open space, will be permitted. The developer would have to demonstrate this, and also demonstrate that they could not be reasonably located on a suitable accessible site elsewhere. The exception to the policy would only apply if the loss of the open space did not lead to a deficiency of open space in the area.
- 10.44 This policy will not apply to certain Council-owned previously developed sites where there is a clear intention as expressed through for example, a Council minute, committee resolution, or policy, that it is intended for some future development. Often, these sites have been landscaped following clearance or reclamation. However, it was not intended that these temporarily landscaped sites should necessarily be protected as open space or for recreational purposes in perpetuity. The degree of investment and quality of the site, and the fact that the Council may maintain the site, has no bearing regarding any indication of intention, or presumption that the site shall be retained as open space. A similar approach will be adopted in relation to other previously-developed land where there is clear evidence of an intention to redevelop.

APPENDIX 3 – UDP POLICY R2.1

UDP POLICY R2.1

Requirement for New and Improved Open Space, Sport and Recreation Facilities and Residential Developments.

For developments of 30 or more dwelling units, there will be a requirement for the on-site provision of public open space, and / or outdoor sport and recreation facilities, examples of which are listed in Policy R1.

Where there is evidence of an existing or potential local deficiency in open space or sport or recreation facilities and the development proposed is for 5-29 dwelling units inclusive, there will be a requirement for on-site provision unless there are exceptional circumstances that mean it is neither practicable nor desirable to do so. In this case one of the following alternatives will be required:

- a. the provision of open space, sport and recreation facilities by the developer on another site which should be at least as accessible to the occupiers of the new dwellings, and convenient for existing residents in the area, and at least equivalent in terms of usefulness, attractiveness and quality, as if provision were being made on-site; or**
- b. if it is agreed that provision on another site is neither practicable nor desirable, the developer will be required to make a payment to the Council in lieu of the capital costs of the provision, for the Council itself to use the funds to provide the additional facilities or to improve existing facilities in the general locality of the development site; or**
- c. a mixture of both approaches to be agreed with the Local Planning Authority.**

In the case of a phased development of a single development site, the Council will use an assumed capacity for the whole site to assess any requirement for the provision of open space and sport and recreation facilities. Individual phases of the development, even if taken in isolation they are below the relevant policy thresholds, will then be required to make a pro rata contribution to the provision of the open space requirement accruing to the whole site.

The required amount of provision in any instance shall be calculated in accordance with the Council's standards.

Proposals requiring a new or improved open space or sport or recreation facility must include adequate provision for its proper

maintenance for an agreed period and this will be secured through a section 106 planning obligation.

The location and design of any new, replacement or enhanced open space or sport and recreational facilities on or off-site should comply with the provisions of Policy R2.2.

- 10.53 All types of new residential developments create increased pressure on existing open spaces as a resource for sport and recreation and for amenity. Additional residents to an area must not put strain on existing facilities; at the same time the needs of the new residents must be met. New residential development should also incorporate a good structure of greenspace and plants, as part of good urban design. For these reasons it is important that new developments should make a realistic contribution towards an appropriate open space provision and/or sport and recreation facilities. Even individual new dwellings and small developments can cumulatively result in pressure on existing facilities.
- 10.54 All developments to which this policy applies should normally include on-site open space provision, to facilitate urban greening and the creation of an attractive residential environment, and ensure an adequate supply of children's play space. Provision of publicly available and usable open spaces for children's play, amenity purposes or non-pitch sports should normally be made at a rate of not less than 30 square metres per dwelling, to meet the Council's standard of provision of 1.2 ha per 1000 persons. The Council will negotiate with the developer the type of open space required in any particular case. The details, such as location within the site, design, equipment where relevant, drainage and maintenance arrangements will need to be agreed beforehand with the Council and secured by planning condition or, where appropriate, a section 106 planning obligation.
- 10.55 In the case of smaller developments of 5–29 dwellings, the initial presumption is for on-site provision. However, the Council may permit the developer to provide some or all of the required open space, sport or recreation facilities off site, where one of the following applies:
- i) it is considered that more community or public benefit would be derived if the provision were off-site;
 - ii) there is already a known surplus of provision close to the proposed development and a known deficiency can be met elsewhere;
 - iii) there is unsuitable topography on site; or
 - iv) due to the restricted size of the site, it might not be viable or desirable to provide a usable open space, sport or recreation facility.

Again, a planning condition or, where appropriate, a section 106 planning obligation will be required to secure off-site provision.

- 10.57 Where the developer is to provide off-site open space and/or facilities, the location of new facilities will be negotiated with the local planning authority. Such provision should be in the locality, (i.e. within 400 metres walking

distance), and be accessible to the occupiers of the new development, and thereby principally of benefit to the development itself. In some instances, consideration may also be given to providing new facilities in adjacent neighbourhoods where there is a known deficiency. Reference should be made to the Council's Greenspace Strategy or to any other Council approved local strategy for guidance.

- 10.58 Where the Council is satisfied that the developer is unable to provide open space or sport or recreation facilities either on or off-site or that it is not desirable to do so, it may exceptionally agree to carry out alternative works, effectively on a developer's behalf, as in Policy R2.1b). This will be subject to the developer paying a commuted sum in lieu of providing and maintaining the required level of open space provision.
- 10.59 Funds from the developer could be used to either form new, more accessible areas or facilities, or to improve existing areas, making them more attractive, usable and safe. Alternatively, funds could be used to support the Council's Strategic Plan referred to in the Greenspace Strategy for required works that are nearest to the development site.
- 10.60 The Council will refer to its own interim standards of provision of open space as a guide to the amount required and location of new provision or sites that should be improved.
- 10.61 Contributions will be secured through a section 106 planning obligation. The capital sum payable to the Council in lieu of the developer carrying out the works will be based on the cost of the developer laying out the area / facility that would otherwise have been provided on or off-site. A supplementary planning document (SPD) will be produced setting out the scale of charges and rates levied (£/m² by item of provision, based on the size of each dwelling, as measured by the number of bedrooms). The SPD will also give guidance regarding how the capital sums payable to the Council shall be spent.
- 10.62 The amount of open space or sport or recreation provision normally required will be not less than 30 square metres per dwelling, based on average household size. However, the need for open space or sport or recreation facilities may vary with the type of development, for example, sheltered housing is unlikely to generate the same level of need for open space for children's play as a development containing large family homes.
- 10.63 In these cases, a variation of the normal requirement for open space provision may be negotiated with the developer, having regard to the number of people likely to live in the proposed development, and the open space standard of 1.2 ha per 1000 people.
- 10.64 Maintenance is critical to the success of sustainable new or improved provision. If the Council is to take on the maintenance responsibility for facilities which are predominantly for the benefit of the users of the associated development, developers will be required to commute a sum to pay for it, secured by a section 106 planning obligation.

10.65 The developer will have to commute a sum to the Council, equivalent to a reasonable period of annual maintenance of at least 12 years, including provision for adjustments. To ensure that a consistent formula is applied, the rates (£/m²) on which the calculation of the relevant elements of commuted sums for maintenance are based, will be published in a forthcoming supplementary planning document (SPD). The SPD will also refer to the conditions that will be applicable prior to the Council adopting and taking over the management and maintenance responsibility of the site.

APPENDIX 4: ALLOCATION OF PMP TYPOLOGIES TO UDP STANDARDS

In order to apply the up-to-date audit information to the current UDP standards we have identified which of the typologies assessed by PMP fall within each of the current UDP standards as shown below.

The Council's standards for open space, sports and recreation provision are based on the updated standards for the National Playing Fields Association (NPFA) of 2.4 hectares per 1000 people², but differ in including amenity open space.

We have therefore focussed on "formal" types of open space, sport and recreation facilities and have not included natural and semi-natural open spaces, green corridors, churchyards and cemeteries and civic spaces. Through the LDF process we will however look at identifying local standards for each type open space assessed by PMP, where appropriate.

For the purposes of this draft SPD we have split the "other open space" into categories – "other open space" and "formal or informal children's play".

Table 5: Split of Open Space Typologies

UDP standards			
	1.2ha per 1000 people of sports pitches	1.2ha per 1000 people of other open space, of which 0.8ha should be suitable for formal or informal children's play	
		0.4ha of other open space	0.8ha per 1000 people of formal or informal children's play
Open Space Typologies	Outdoor Sports Facilities (excluding non-pitch sports (see above)).	Parks and Gardens Non-pitch sports Allotments and community gardens	Amenity Greenspace Provision for Children & Young People

Existing Sports Pitch Provision

PMP defines *Outdoor Sports Facilities* similarly to PPG17, as natural or artificial surfaces either publicly or privately owned used for sport and recreation. Examples of such provision include outdoor sports pitches, tennis courts and bowling greens, golf courses, athletics tracks, playing fields (including school playing fields), and water sports.

² The six acre standard is a minimum standard for outdoor playing space of 2.4 hectares (6 acres) for 1000 people, comprising 1.6 hectares (4 acres) for outdoor sport and 0.8 hectares (2 acres) for children's play (<http://www.playing-fields.com/content/sixacre/index.html>)

The UDP standard however just relates to “pitch sports”. A pitch is later defined in policy R1.3 of the UDP as “...which is used for football, American football, rugby, cricket, hockey, lacrosse, rounders, softball, Australian football, Gaelic football, shinty, hurling, polo, or cycle polo.”

For the purposes of this draft SPD the non-pitch sports assessed by PMP (i.e. tennis courts, bowling greens and athletic tracks) have therefore been removed from under this category and will be assessed under the “other open space” category.

The UDP also states that “... a pitch is a delineated area which, together with any run-off area, is 0.4 ha or greater”. Any pitches that have an area of less than 0.4ha have therefore been categorised as “non-pitch” and have been assessed under the “other open space” category.

Existing Other Open Space Provision

For the purposes of this draft SPD “other open space” includes:

Table 6: Other Open Space Provision

Type	Definition and Examples
Parks and Gardens	Includes urban parks, formal gardens and country parks
Non-Pitch	Includes the non-pitch elements of “outdoor sports facilities” such as tennis and bowls, athletics tracks and sports pitches of less than 0.4ha.
Allotments and community gardens	Opportunities for those people who wish to do so to grow their own produce as part of the long-term promotion of sustainability, health and social inclusion. May also include urban farms.

Existing Formal and Informal Children’s Play Provision

For the purposes of this Draft SPD “formal and informal children’s play” includes:

Table 7: Formal and Informal Children’s Play Provision

Type	Definition and Examples
Amenity Greenspace	Most commonly but not exclusively found in housing areas. Includes informal recreation green spaces and village greens.
Provision for Children & Young People	Areas designed primarily for play and social interaction involving children and young people. Includes equipped play areas, ball courts, outdoor basketball hoop areas, skateboard areas, teenage shelters and ‘hangouts’.

Identifying a “Potential Local Deficiency”

When assessing planning applications and whether or not there is an “existing or potential local deficiency” in provision the figures below should be used.

Where the surplus figure is +0.15ha or below this should be treated as a “potential local deficiency” and open space provision should be sought in accordance with UDP policy R2.1. This is based on the UDP policy that requires Public Open Space provision of five or more dwellings at an equivalent rate of 30m² per dwelling.

APPENDIX 5 SURPLUS AND DEFICIENCIES

Table 8: Draft Surplus and deficiencies in the provision of Category 1: Sports Pitches at Ward level (including only publicly accessible school playing fields) 1.2ha per 1000 people. (February 2008)

	Population	Population / 1000	Hectares	Ha per 1000 population	Surplus and Deficiency
Chadderton Community Council					
Chadderton North	10,278	10.278	6.40	0.62	- 0.58
Chadderton Central	10,065	10.065	9.97	0.99	- 0.21
Chadderton South	10,789	10.789	7.96	0.74	- 0.46
Alexandra Community Council					
Alexandra	10,878	10.878	9.60	0.88	- 0.32
Medlock Vale Community Council					
Medlock Vale	11,461	11.461	15.36	1.34	+ 0.14
Werneth Community Council					
Werneth	12,070	12.070	1.27	0.11	- 1.09
Coldhurst Community Council					
Coldhurst	11,957	11.957	0.69	0.06	- 1.14
Failsworth Community Council					
Failsworth East	10,501	10.501	8.65	0.82	- 0.38
Failsworth West	10,590	10.590	7.74	0.73	- 0.47
Hollinwood Community Council					
Hollinwood	11,213	11.213	12.98	1.16	- 0.04
St James' Community Council					
St James'	11,898	11.898	11.61	0.98	- 0.22
Waterhead Community Council					
Waterhead	11,616	11.616	0.71	0.06	- 1.14
St Mary's Community Council					
St Mary's	12,121	12.121	8.37	0.69	- 0.51
Saddleworth and Lees Community Council					
Saddleworth West & Lees	10,535	10.535	2.75	0.26	- 0.94
Saddleworth South	9,235	9.235	14.38	1.56	+ 0.36
Saddleworth North	9,424	9.424	5.53	0.59	- 0.61
Shaw and Crompton Community Council					
Crompton	11,050	11.050	11.06	1.00	- 0.20
Shaw	10,688	10.688	4.32	0.40	- 0.80
Royton Community Council					
Royton North	10,596	10.596	2.88	0.27	- 0.93
Royton South	10,382	10.382	17.60	1.70	+ 0.50

Table 9: Draft Surplus and Deficiencies in the provision of Category 2: Formal and Informal Children's Play at Ward level. 0.8ha per 1000 people. (February 2008)

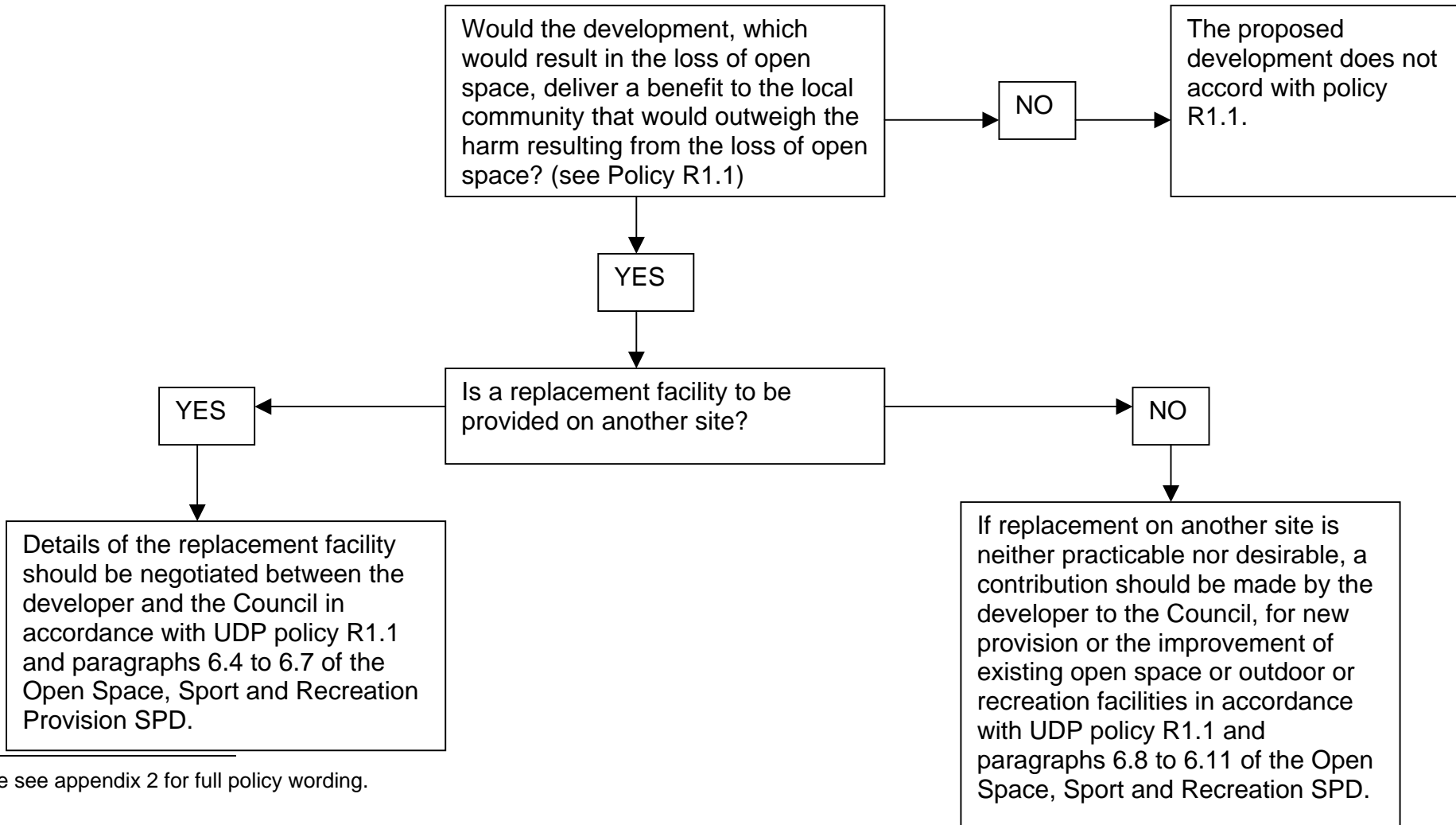
	Population	Population/1000	Hectares	Ha per 1000 population	Surplus and Deficiency
Chadderton Community Council					
Chadderton North	10,278	10.278	5.40	0.53	- 0.27
Chadderton Central	10,065	10.065	3.04	0.30	- 0.50
Chadderton South	10,789	10.789	5.18	0.48	- 0.32
Alexandra Community Council					
Alexandra	10,878	10.878	4.94	0.45	- 0.35
Medlock Vale Community Council					
Medlock Vale	11,461	11.461	9.85	0.86	+ 0.06
Werneth Community Council					
Werneth	12,070	12.070	2.48	0.21	- 0.59
Coldhurst Community Council					
Coldhurst	11,957	11.957	9.11	0.76	- 0.04
Failsworth Community Council					
Failsworth East	10,501	10.501	1.56	0.15	- 0.65
Failsworth West	10,590	10.590	5.10	0.48	- 0.32
Hollinwood Community Council					
Hollinwood	11,213	11.213	8.13	0.73	- 0.07
St James' Community Council					
St James'	11,898	11.898	11.36	0.95	+ 0.15
Waterhead Community Council					
Waterhead	11,616	11.616	2.55	0.22	- 0.58
St Mary's Community Council					
St Mary's	12,121	12.121	11.74	0.97	+ 0.17
Saddleworth and Lees Community Council					
Saddleworth West & Lees	10,535	10.535	3.54	0.34	- 0.46
Saddleworth South	9,235	9.235	3.40	0.37	- 0.43
Saddleworth North	9,424	9.424	3.21	0.34	- 0.46
Shaw and Crompton Community Council					
Crompton	11,050	11.050	1.60	0.14	- 0.66
Shaw	10,688	10.688	2.48	0.23	- 0.57
Royton Community Council					
Royton North	10,596	10.596	6.39	0.60	- 0.20
Royton South	10,382	10.382	3.85	0.37	- 0.43

Table 10: Draft Surplus and deficiencies in the provision of Category 3: Other Open Space at Ward level. 0.4ha per 1000 people. (February 2008)

Parks and gardens with areas of more than 15ha have not been included in the surplus and deficiency figures used in this SPD (see table below). Sites of over 15 ha in the Borough of Oldham include Bishops Park, Alexandra Park, Strinesdale Park and Tandle Hill Park.

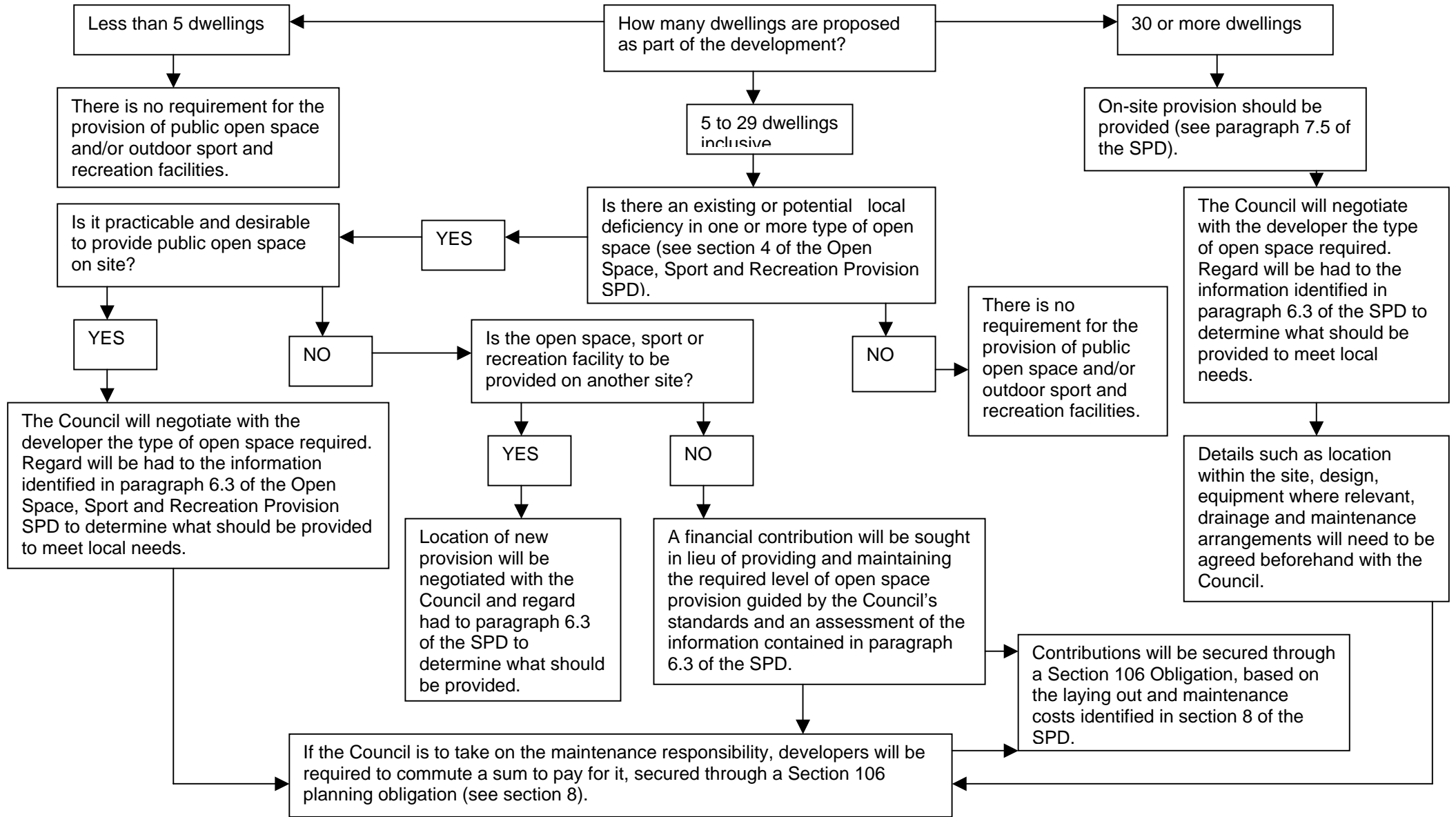
	Population	Population / 1000	Hectares	Ha per 1000 population	Surplus and Deficiency
Chadderton Community Council					
Chadderton North	10,278	10.278	11.43	1.11	+ 0.71
Chadderton Central	10,065	10.065	8.01	0.80	+ 0.40
Chadderton South	10,789	10.789	5.75	0.53	+ 0.13
Alexandra Community Council					
Alexandra	10,878	10.878	1.47	0.14	- 0.26
Medlock Vale Community Council					
Medlock Vale	11,461	11.461	10.48	0.91	+ 0.51
Werneth Community Council					
Werneth	12,070	12.070	7.78	0.64	+ 0.24
Coldhurst Community Council					
Coldhurst	11,957	11.957	3.70	0.31	- 0.09
Failsworth Community Council					
Failsworth East	10,501	10.501	8.83	0.84	+ 0.44
Failsworth West	10,590	10.590	4.88	0.46	+ 0.06
Hollinwood Community Council					
Hollinwood	11,213	11.213	8.30	0.74	+ 0.34
St James' Community Council					
St James'	11,898	11.898	12.73	1.07	+ 0.67
Waterhead Community Council					
Waterhead	11,616	11.616	6.14	0.53	+ 0.13
St Mary's Community Council					
St Mary's	12,121	12.121	0.96	0.08	- 0.32
Saddleworth and Lees Community Council					
Saddleworth West & Lees	10,535	10.535	2.70	0.26	- 0.14
Saddleworth South	9,235	9.235	5.96	0.65	+ 0.25
Saddleworth North	9,424	9.424	1.41	0.15	- 0.25
Shaw and Crompton Community Council					
Crompton	11,050	11.050	9.75	0.88	+ 0.48
Shaw	10,688	10.688	14.36	1.34	+ 0.94
Royton Community Council					
Royton North	10,596	10.596	2.57	0.24	- 0.16
Royton South	10,382	10.382	5.52	0.53	+ 0.13

APPENDIX 6 FLOW CHART SHOWING IMPLEMENTATION OF UDP POLICY R1.1¹



¹ Please see appendix 2 for full policy wording.

APPENDIX 6 FLOW CHART SHOWING IMPLEMENTATION OF UDP POLICY R2.1¹



¹ Please see appendix 3 for full policy wording.

APPENDIX 7: APPLICATION OF LAYING OUT AND MAINTENANCE COSTS

Examples in this appendix show how developer contributions will be calculated for residential developments of a variety of bedspace numbers, located in wards with a variety of situations regarding surpluses and deficiencies.

The table below shows the laying out and maintenance costs for all three categories of open space, sport and recreation provision.

Table 11: Laying out and maintenance costs for all three categories of open space, sport and recreation provision.

Size of dwelling	Laying-out Cost (£) Category 1: Sports Pitches	Maintenance cost (£) over 20 years Category 1: Sports Pitches	Laying-out Cost (£) Category 2: Formal and informal children's play	Maintenance cost (£) over 12 years Category 2: Formal and informal children's play	Laying-out Cost (£) Category 3: Other Open Spaces	Maintenance cost (£) over 12 years Category 3: Other Open Spaces
1 bed	593.52	245.52	2046.08	1215.36	422.32	223.68
2 bed	890.28	368.28	3069.12	1823.04	633.48	335.52
3 bed	1187.04	491.04	4092.16	2430.72	844.64	447.36
4 bed	1483.80	613.80	5115.20	3038.40	1055.80	559.20
5 bed plus	1780.56	736.56	6138.24	3646.08	1266.96	671.04

Example 1: Deficient in All Three Categories

A development of 15 houses located in the Saddleworth North ward.

The development is made up of five 2 bed dwellings, five 3 bed dwellings and five 4 bed dwellings.

As this development includes between 5 –29 dwellings, in accordance with policy R2.1 of the UDP, where it is thought appropriate for a developer to make a payment to the Council in lieu of the costs of the provision, the process indicated below will take place.

Using table 11 and/or appendix 5 it is established whether surpluses or deficiencies of the 3 open space categories exist in Saddleworth North.

Category 1: Sports Pitches	-0.61 (Deficient)
Category 2: Formal and Informal Children's Play	-0.46 (Deficient)
Category 3: Other Open Space	-0.25 (Deficient)

This ward is deficient in all three categories and commuted sum payments will therefore be required for all three.

Category 1: Sports pitches

Dwelling Type	Number of dwellings	Rate for Laying out sports (£)	Rate for Maintenance sports (£)	Contribution for laying out (<i>rate X number of dwellings</i>) (£)	Contribution for maintenance (<i>rate X number of dwellings</i>) (£)
2 bed	5	890.28	368.28	4451.40	1841.40
3 bed	5	1187.04	491.04	5935.20	2455.20
4 bed	5	1483.80	613.80	7419.00	3019.00
Total Contribution Category 1: Sports Pitches				17805.60	7315.60

Category 2: Formal and informal children's play

Dwelling Type	Number of dwellings	Rate for Laying out children's play (£)	Rate for Maintenance children's play (£)	Contribution for laying out (<i>rate X number of dwellings</i>) (£)	Contribution for maintenance (<i>rate X number of dwellings</i>) (£)
2 bed	5	3069.12	1823.04	15345.60	9115.20
3 bed	5	4092.16	2430.72	20460.80	12153.60
4 bed	5	5115.20	3038.40	25576.00	15192.00
Total Contribution Category 2: Children's Play				61382.40	36460.80

Category 3: Other Open Space

Dwelling Type	Number of dwellings	Rate for Laying out other open space (£)	Rate for Maintenance other open space (£)	Contribution for laying out (<i>rate X number of dwellings</i>) (£)	Contribution for maintenance (<i>rate X number of dwellings</i>) (£)
2 bed	5	633.48	223.68	3167.40	1118.40
3 bed	5	844.64	335.52	4223.20	1677.60
4 bed	5	1055.80	447.36	5279.00	2236.80
Total Contribution Category 3: Other Open Space				12669.60	5032.80

Total Contributions Required

	Laying out (£)	Maintenance (£)
Total Contribution Category 1: Sports Pitches	17805.60	7315.60
Total Contribution Category 2: Children's Play	61382.40	36460.80
Total Contribution Category 3: Other Open Space	12669.60	5032.80
Total developer contribution required	91857.60	48809.20

Therefore in this example the developer would be required to pay a total of £140,666.80 under policy R2.1 of the UDP.

Example 2: Where a potential deficiency exists (with one category being +0.15 or below and therefore potentially deficient – see Appendix 4)

Development of nine 2 bed apartments located in the Failsworth West ward.

As this development includes between 5 –29 dwellings, in accordance with policy R2.1 of the UDP, where it is thought appropriate for a developer to make a payment to the Council in lieu of the costs of the provision, the process indicated below will take place.

Using table 11 and or Appendix 5, it is established whether or not a surplus or deficiency exists in each of the 3 categories of open space, sport and recreation provision.

N.B: A potential local deficiency exists when the surplus figure is +0.15ha or below and open space provision will be sought in accordance with UDP policy R2.1.

Category 1: Sports Pitches	-0.47 (Deficient)
Category 2: Formal and Informal Children’s Play	-0.32 (Deficient)
Category 3: Other Open Space	+0.06 (Potential Local Deficiency)

This ward is deficient in 2 categories and has potential local deficiencies in category 3. Therefore commuted sum payments will be required for all 3 categories.

Category 1: Sports Pitches

Dwelling Type	Number of dwellings	Rate for Laying out sports (£)	Rate for Maintenance sports (£)	Contribution for laying out (rate X number of dwellings) (£)	Contribution for maintenance (rate X number of dwellings) (£)
2 bed	9	890.28	368.28	8,012.52	3,314.52
Total Contribution Category 1: Sports Pitches				8,012.52	3,314.52

Category 2: Formal and informal children’s play

Dwelling Type	Number of dwellings	Rate for Laying out children’s play (£)	Rate for Maintenance children’s play (£)	Contribution for laying out (rate X number of dwellings) (£)	Contribution for maintenance (rate X number of dwellings)(£)
2 bed	9	3069.12	1823.04	27,622.08	16,407.36
Total Contribution Category 2: Children’s Play				27,622.08	16,407.36

Category 3: Other Open Space

Dwelling Type	Number of dwellings	Rate for Laying out other open space	Rate for Maintenance other open space	Contribution for laying out (rate X number of dwellings) (£)	Contribution for maintenance (rate X number of dwellings) (£)
2 bed	9	633.48	223.68	5701.32	2013.12
Total Contribution Category 3: Other Open Space				5701.32	2013.12

Total Contributions Required

	Laying out (£)	Maintenance (£)
Total Contribution Category 1: Sports Pitches	8,012.52	3314.52
Total Contribution Category 2: Children's Play	27622.08	16,407.36
Total Contribution Category 3: Other Open Space	5701.32	2013.12
Total developer contribution required	41,335.92	21,735.00

Therefore under this example, the developer would be required to pay a total of £63,070 under policy R2.1 of the UDP.

Example 3: Where a potential deficiency exists

Development of 12 houses located in the St Mary's ward.

The development is made up of five 2 bed dwellings, five 3 bed dwellings and two 4 bed dwellings.

As this development includes between 5 –29 dwellings, in accordance with policy R2.1 of the UDP, where it is thought appropriate for a developer to make a payment to the Council in lieu of the costs of the provision, the process indicated below will take place.

Using table 11 and or appendix 5, it is established whether or not a surplus or deficiency exists in each of the 3 categories of open space, sport and recreation provision.

Category 1: Sports Pitches -0.51 (Deficient)
 Category 2: Formal and Informal Children’s Play +0.16 (Surplus)
 Category 3: Other Open Space -0.32 (Deficient)

This ward is deficient in only two out of the three categories, therefore commuted sum payments will only be required for sports provision and other open spaces. Commuted sum payments will not be required for formal and informal children’s play.

Category 1: Sports pitches

Dwelling Type	Number of dwellings	Rate for Laying out sports (£)	Rate for Maintenance sports (£)	Contribution for laying out (rate X number of dwellings) (£)	Contribution for maintenance (rate X number of dwellings)(£)
2 bed	5	890.28	368.28	4451.40	1841.40
3 bed	5	1187.04	491.04	5935.20	2455.20
4 bed	2	1483.80	613.80	2967.60	1227.60
Total Contribution Category 1: Sports Pitches				13,354.20	5524.20

Category 2: Formal and informal children’s play - Not applicable

Category 3: Other Open Space

Dwelling Type	Number of dwellings	Rate for Laying out other open space (£)	Rate for Maintenance other open space (£)	Contribution for laying out (rate X number of dwellings) (£)	Contribution for maintenance (rate X number of dwellings) (£)
2 bed	5	633.48	223.68	3167.40	1118.40
3 bed	5	844.64	335.52	4223.20	1677.60
4 bed	2	1055.80	447.36	2111.60	894.72
Total Contribution Category 3: Other Open Space				9,502.20	3690.72

Total Contributions Required

	Laying out	Maintenance
Total Contribution Category 1: Sports Pitches	13,354.20	5,524.20
Total Contribution Category 2: Children's Play	0.00	0.00
Total Contribution Category 3: Other Open Space	9502.20	3690.22
Total developer contribution required	22,856.40	9214.42

Therefore in this example the developer would be required to pay a total of £32,070.82 under policy R2.1 of the UDP.

APPENDIX 8: USEFUL WEBSITE LINKS

Oldham Metropolitan Borough Council – www.oldham.gov.uk

Communities and Local Government - www.communities.gov.uk

Sport England – www.sportengland.org.uk

Natural England – www.naturalengland.org.uk

Fields in Trust (formerly National Playing Fields Association) –
www.npfa.co.uk

APPENDIX 9: USEFUL OLDHAM MBC CONTACTS

Contact Address	Telephone Number	Advice on..
Development Control Team, Civic Centre, West Street, Oldham, OL1 1UL	0161 770 4105	Development Control
Strategic Planning Team, Oldham Business Centre, Cromwell Street, Oldham, OL1 1WR	0161 770 1673	Planning Policy
Regeneration, Oldham Business Centre, Cromwell Street. Oldham, OL1 1WR	0161 770 4168	Section 106 Obligations

APPENDIX 10: GLOSSARY OF TERMS

Green Flag Award Scheme – A national standard for parks and green spaces in England and Wales. The award scheme recognises and rewards the best green spaces in the country. Awards are given on an annual basis and winners must apply each year to renew their Green Flag status.

Local Development Framework (LDF) – A folder of Local Development Documents, some of which form part of the Development Plan for the Borough.

Open Space – Comprises predominantly urban green space that is normally vegetated and civic (or public) space that is predominantly hard-surfaced, which may be publicly accessible or private spaces.

Open Space Standards – The open space standards used in Oldham MBC are derived from the updated National Playing Fields Association standards. These specify the minimum amount of different types of open space expected to be provided throughout the Borough. Use of these standards represents an interim position pending the setting of locally derived standards through the Local Development Framework.

Planning Obligation – An agreement made between the local planning authority and another party, which concerns a particular aspect of or is associated with a development. It is usually made in connection with the granting of planning permission through Section 106 of the Town and Country Planning Act 1990.

Public Open Space – Open space to which there is public access, even though the land may not be in public ownership.

Supplementary Planning Document (SPD) – A supplementary planning document provides additional information in respect of policies contained in the development plan documents or “saved” UDP policies. It is not subject to independent examination and does not form part of the development plan.

Unitary Development Plan (UDP) – Sets out policies and proposals for the development and use of land in the Borough over a fifteen-year period. The Unitary Development Plan identifies sites in the Borough where it is proposed to permit housing, employment and shopping developments, amongst others, to take place.