

OLDHAM'S REPLACEMENT UNITARY

DEVELOPMENT PLAN

TOPIC PAPER

**OPEN SPACE, SPORT AND RECREATION**

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## **1.0 INTRODUCTION**

1.1 This topic paper deals with issues relating to Section 10 of the Draft Replacement Unitary Development Plan (RUDP), which contains policies relating to the protection and improvement of open space, sport and recreation facilities.

1.2 The purpose of this topic paper is to:

- Describe the background to open space, sport and recreation policy development within the national, regional and local context.
- Explain the approach taken with regards to open space, sport and recreation policies within the Draft RUDP and how they have evolved through the plan review process.
- Comment and respond, in general terms, to outstanding objections and make reference to pre-inquiry changes

## **2.0 BACKGROUND**

2.1 The Government recognises that open space, sport and recreation are important components of the quality of life, contributing to successful regeneration and sustainable development.

2.2 Open spaces are where leisure, sport and many informal activities and pursuits take place. They vary greatly in size, nature and capacity across the Borough, from those with specific recreational purposes such as parks and playing fields to incidental open spaces, which have been formed almost by chance, or as a consequence of other development. A significant number of open space, sport and recreation facilities lie outside the urban area within the Green Belt, on Land Reserved for Future Development or within designated Local Green

Gaps, as well as green corridors and links as identified in the Revised Deposit Draft RUDP (Section 11).

- 2.3 Sport and recreation also takes places indoors and there are a variety of both public and private built facilities throughout the Borough.
- 2.4 More and more open space, sport and recreation facilities, particularly those in the urban parts of the Borough, are coming under increasing pressure from development for alternative uses as urban renewal takes place, land is recycled and that available becomes scarcer.
- 2.5 The protection and improvement of open space, sport and recreation facilities are high on the agenda of the Council and the local community, as demonstrated within this paper. Significant progress has been made, for example, over the last eight years under the Urban Parks Strategy, which has led to the improvement of 12 parks throughout the Borough (2 of which have gained green flag status), the complete restoration of Alexandra Park and the establishment of a network “Friends of the Park” groups. Work has also recently been completed on the Greenspace Strategy and Playing Pitch Strategy, and the preparation of an Open Space Study, comprising a local needs assessment and audit of existing facilities, is currently being undertaken.

### **3.0 NATIONAL AND REGIONAL POLICY CONTEXT**

#### **National Policy Context**

- 3.1 The policies have been developed within the National Planning Framework provided by Planning Policy Guidance Notes, in particular Planning Policy Guidance Note 17 (PPG17) Planning for Open Space, Sport and Recreation (2002).

- 3.2 Revised PPG17 was informed by the Urban Greenspace Taskforce Report “Green Spaces, Better Places” (published 2002), which sets out a range of objectives for government to implement, focusing on developing proposals for improving urban parks, play areas and green spaces, recommending that more investment was needed to create the envisaged networks of green spaces.
- 3.3 PPG17 recognises that well designed and implemented clear planning policies are fundamental in the protection and creation of open space, sport and recreation facilities. Good strategies also enable local authorities to co-ordinate the planning, management and maintenance of open space, sport and recreation facilities. Unlike previous guidance, it also acknowledges the contribution open space, sport and recreation can make to delivering the Government’s broader objectives of urban renaissance, rural renewal, social and community inclusion, health and well being, and finally sustainable development.
- 3.4 The main new provision introduced by PPG17 is the requirement to take account of the value that the community attaches to open space, sport and recreation facilities. In doing so, it takes a radical departure from previous guidance in requiring local authorities to carry out an assessment of existing and future need for public and private open space, sport and recreation facilities, to be accompanied by both a qualitative and quantitative audit to identify surpluses and deficits as set out in paragraphs 1 to 4 of the guidance. Paragraph 4 goes on to say that this information should form the starting point for establishing an effective strategy for open space, sport and recreation at the local level, enabling effective planning through the development of appropriate policies in plans. The Office of the Deputy Prime Minister (ODPM) has issued a companion guide to PPG17 entitled “Assessing Needs and Opportunities”, which gives advice and suggests a methodology for undertaking local assessments and audits.

- 3.5 The guidance goes on to say, in paragraph 7, that the results of the local needs assessment and audit should be used to inform the preparation of local standards of provision, which should include quantitative elements, a qualitative component and accessibility. As stated in paragraph 8 these standards should then be included in development plans and used to form the basis of redressing quantitative and qualitative deficiencies through the planning process.
- 3.6 Paragraphs 10 to 19 provide guidance on maintaining an adequate supply of open space, sport and recreation facilities. The advice places greater emphasis on the accessibility and quality of what is or should be provided, marking the end of reliance on purely quantitative standards.
- 3.7 The other provisions of revised PPG17 and changes from the previous guidance are as follows:
- Stronger protection of playing fields (paragraph 15).
  - More detailed guidance on specific types of open space, such as stadia, urban fringe areas, rural areas and local facilities (paragraphs 21-32).
  - Greater use of planning obligations where new development increases local need and it is evident that new or improved facilities are required (paragraph 33).
  - A new and much wider definition of open space, illustrated by a “typology” (paragraphs 1 and 2 of Annex).
  - Recognition that most areas of open space are multi-functional and may be valued by the community for reasons other than the provision of a sport or recreation facility (paragraph 3 of Annex).

## **Regional Policy Context**

- 3.8 The regional policy framework is provided by the Regional Spatial Strategy for the North West, published March 2003. The aim of this guidance is to promote sustainable patterns of development and physical change.
- 3.9 There are a number of policies within the Regional Spatial Strategy for the North West guiding the provision of open space, sport and recreation facilities:
- **Policy EC9** on tourism and recreation states that local authorities should develop regional footpaths and cycle routes that link the National Cycle Network in order to encourage increased recreational activity.
  - **Policy EC10** on sport advises that local authorities should undertake a definitive audit of sport and recreational facilities, underpinned by a playing pitch strategy, to assess local requirements for a range of indoor and outdoor organised and informal sport, recreational and leisure activities, and to maintain a high quality environment.
  - **Policy UR10** specifically advises on the identification and protection of green space including water features, opportunities to link them up, and the development of strategies for the planning and management of green spaces and the public realm in general. The policy also focuses on enhancement and the improvement in the quality of the public realm and accessibility to facilities.
- 3.10 At a sub-regional level, The Greater Manchester Strategic Planning Framework published in 1997, and reviewed in 1999, provides a strategic planning framework for Greater Manchester based on national and regional planning guidance. A main aim of the document is to inform the review of Unitary Development Plans. It contains a strategic vision for the conurbation including a focus on regeneration and sustainability, and a holistic approach to urban renewal. Open space is recognised as an important resource for recreational and amenity

opportunities, relief from built form, a source for tourism and habitat for wildlife.

3.11 Also forming part of the regional policy context is A Strategy for Greater Manchester (the Association of Greater Manchester Authorities, 2003), which provides a 10 to 15 year vision for the future of the sub region. Chapter 3 – Promoting Culture, Sport and Tourism – sets out a number of key actions to tackle issues in the area, one being to: continue to promote environmental enhancements to Greater Manchester’s countryside, to improve informal recreation opportunities and enhance the image of the County. In particular reference is made to supporting the provision of two new Regional Parks and the development of the canal corridors.

### **Key Issues**

3.12 To summarise, the key points arising from national and regional planning guidance and other strategies are:

- The need to prepare a comprehensive local needs assessment and audit of existing facilities to identify local standards and enable the development of a robust framework for the planning and management of open space, sport and recreation facilities (PPG17, RPG13, SE).
- The importance of open space, sport and recreation facilities in terms of improving the quality of life, contributing to social and community cohesion and the sustainable development agenda (PPG17, RPG13, GMS).

## **4.0 LOCAL POLICY CONTEXT**

4.1 Oldham’s Community Strategy 2002-2022 and Adopted Unitary Development Plan provide the local policy framework. There are also a number of strategies, recently produced by the Council, which have



implications for open space, sport and recreation within the Borough, which are considered below.

- 4.2 For background it is useful to firstly refer to the Council's Response to the Oldham Independent Review (OIR), published in June 2002, which sets out the Council's view on the OIR into the civil disturbances that occurred in the Borough in 2001. In its response, the Council recognises the role that formal and informal open spaces can play in supporting community cohesion and social inclusion through providing opportunities for exercise and meeting people.
- 4.3 Policies in the RUDP contribute to achieving the concerns raised by the Council in its response to the OIR.

### **Oldham's Community Strategy 2002-2022 (OCS)**

- 4.4 The Oldham Strategic Partnership (LSP), of which the Council is a member, produced Oldham's first Community Strategy in 2002. It sets out the long-term vision for the future of Oldham and proposals for delivering that vision. Many action plans and strategies that relate to the various themes underpin the Community Strategy. The Draft RUDP is one of them.
- 4.5 Under the Strategy theme "Environment and Transport", the LSP's vision for the Borough, shared by all key agencies (including the community) is one "where there are many green parks and where it is safe to play, work and sit. An Oldham of "green corridors", open space and woodland, where wildlife abounds".
- 4.6 One of the LSP's objectives is to implement the Oldham Local Agenda 21 Plan, which is Oldham's plan for sustainability. The Plan identifies many issues ranked to be of most importance to local people, including:
- Lack of youth recreation (ranked no. 2);

- Participation in planning (ranked no. 6);
- The need for trees (ranked no. 7); and
- Reducing pollution, crime and vandalism (ranked 8, 10, 14 respectively).

4.7 Another aim of the Community Strategy is to provide a thriving housing market that provides a diverse choice of housing to all who wish to reside in the Borough. The Council, in partnership with Rochdale MBC, is one of the pathfinder authorities that, under the Housing Market Renewal Fund (HMRF) initiative, will deliver significant improvement to the Borough's housing stock. The housing renewal and redevelopment that will take place as a result of this initiative represents a key opportunity to create new and/or improved open space, sport and recreation provision that meets the need of the local community.

4.8 By seeking to maintain and enhance the supply of open space, sport and recreation facilities the Draft RUDP can make a valuable contribution towards achieving the objectives of the Community Strategy and Oldham's Local Agenda 21 Plan.

4.9 The Community Strategy is currently being reviewed following further consultation and the publication of the Oldham Beyond – A Vision for the Borough of Oldham (2004).

### **Oldham's Adopted Unitary Development Plan, 1996**

4.10 Oldham's Adopted Unitary Development Plan (AUDP) focuses on "Recreation" as an activity rather than land-use, which is reflected in the title. Policies were consistent with advice given in PPG17 and reflected strategic guidance for the County (RPG4). The objectives of the AUDP are to:

- 4.11 Provide a broad range of leisure and recreational facilities, which are accessible to all the borough's population;
- Provide additional open space and children's play space related to new housing development;
  - Capitalise on the recreational potential of the urban fringe, major open areas and the canal system; and
  - Improve the quality of existing recreation open space.
- 4.12 There are also a number of other relevant strategies that specifically relate to open space, sport and recreation, these are:

### **Oldham's Greenspace Strategy, 2003**

4.13 The Oldham Greenspace<sup>1</sup> Strategy, sets out the priorities, objectives and aspirations for the future development, improvement, management and operation of all green spaces under the control of the Council throughout the Borough. It sits under the Community Strategy and complements a number of related strategies and programmes, such as the AUDP; Oldham's Local Agenda 21 Plan and the Tourism Strategy. The Strategy recognises the need for a clear understanding of how the green estate relates to other landscape and townscape issues, community needs, the quality of the environment, sustainable development and the urban economy. The strategy recommends various actions, including:

- The inclusion of appropriate policies within the review of the UDP to protect established open spaces;
- The need for an open space audit to be conducted;
- The maintenance of a detailed and accurate inventory of the Council's green estate and the assets managed within it; and
- To undertake a major review of all open spaces and develop a Strategic Greenspace Plan.

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<sup>1</sup> See Glossary Terms in Appendix D for greenspace definition

## **Oldham's Playing Pitch Strategy, 2004**

4.14 The Playing Pitch<sup>2</sup> Strategy (PPS) sets out a vision over the next 5 to 20 years for the Council and its partners in relation to the provision and improvement of playing pitches and associated facilities within Oldham Borough. It follows an Assessment Report, which details playing pitch provision, quality and usage levels. The Strategy establishes local qualitative and quantitative standards for pitch provision, which will be incorporated into the Borough's Local Development Framework, following completion of the comprehensive local needs assessment and audit of existing open space, sport and recreation facilities as required by PPG17.

### **Key Local Issues**

4.15 It is evident from the above that the protection and improvement of open space, sport and recreation facilities within the Borough is high on the agenda of the Council and the local community, particularly in terms of the contribution it can have towards improving quality of life, social and community cohesion and the creation of sustainable neighbourhoods. The key issues emerging from above are the need to:

- Protect and improve the quality of the diverse range of existing open space, sport and recreation facilities to meet the needs of the local community; and
- Plan, manage and monitor open space, sport and recreation facilities more effectively, again to ensure that they meet the needs of the local community.

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<sup>2</sup> See Glossary of Terms at Appendix D for playing pitch/field definition

## **5.0 OLDHAM'S REPLACEMENT UNITARY DEVELOPMENT PLAN 2001-2016 (RUDP)**

5.1 This section describes how the policies for Open Space, Sport and Recreation have evolved through the First Deposit and Revised Deposit stages. The policies represent an interim approach until the local needs assessment and audit required by PPG17 has been undertaken. How this approach has been reflected in the RUDP is the focus of the next section in light of outstanding objections.

### **First Deposit Stage**

5.2 The First Deposit Draft RUDP was published in October 2001. It encompassed for the first time "open space", with the chapter being entitled "Recreation and Open Space" and was drafted following the publication of the draft version of revised PPG17 in 2001, which significantly extended the scope of the 1991 version of PPG17 by dealing in more detail with planning for open space. The draft guidance provided a clear statement of the Government's intention to protect existing open space, sport and recreation facilities and create new ones, recommending planning authorities to undertake an open space audit before framing their policies.

5.3 The First Deposit Draft RUDP policies for "Recreation and Open Space" attracted a total of 55 objections and 11 supporting representations.

5.4 A significant number of objections were received from Sport England, which primarily related to:

- Concern that sport as an activity should be given greater profile in the text;
- That the provision of the consultation draft of PPG17 should be reflected more, particularly in relation to the expectation from the

Government that the Council should undertake an assessment of local need and an audit of provision of open space, sport and recreation facilities;

- That policy R1.1 could lead to alternative facilities not being replaced and does not protect other recreational facilities (i.e. tennis courts, bowling greens etc.); and
- The potential incremental loss of playing fields.

5.5 The list of types of open spaces contained within the policy was also a source of objection, in terms of the need for clarification and/or a definition of what these might include, and the scope of the list itself. Other objections were site specific, requesting the designation of sites and routes for protection, the amendment of site boundaries and routes, or conversely that sites should not be protected but instead made available for redevelopment.

5.6 A number of objections were received in relation to First Deposit Draft RUDP policy R2.2, for example:

- Concern was expressed that developers could avoid having to provide on site facilities by offering a financial contribution instead.
- Government Office for the North West (GONW) expressed concern that a contribution should not be a requirement in every case, and should only be required if, as a result of the development, a quantitative or qualitative deficiency in provision would result.
- Objections from developers were in relation to:
  - On-site provision for sites of 30 dwellings or more being mandatory;
  - The threshold for contributions (in dwelling units) being too low;
  - The change in rate (in sqm/dwelling) being unjustified; and
  - The period of maintenance being too lengthy.
- It was also stressed that the requirements for facilities should not be the same for all types of developments, such as sheltered accommodation.

## **Revised Deposit Stage**

- 5.7 The publication by the Government in 2002 of revised PPG17, and some of the objections at First Deposit stage, has necessitated the complete redrafting of the Section within the Revised Deposit Draft RUDP.
- 5.8 Most of the proposed changes to the First Deposit Draft result from the revision of PPG17, which local authorities are required to reflect in their development plans. Changes have also been made to improve the policies as an instrument of planning control and minor changes are proposed for clarity and ease of use. The changes generally have the effect of strengthening the approach to open space, sport and recreation, rather than making a fundamental change.
- 5.9 The title of the section has been changed to “Open Space, Sport and Recreation Facilities” to reflect the broader scope of revised PPG17.
- 5.10 The introduction has been redrafted to outline the key objectives of revised PPG17 and bring up to date the outline of the Government’s approach to planning for open space, sport and recreation. It recognises what an important contribution open space, sport and recreation facilities can have on people’s quality of life and well-being, towards delivering urban renaissance, sustainable development, social and community cohesion, and supporting economic growth. It sets out its view, that whilst land used for sport and recreation has a primary purpose it may also have visual amenity value as well as performing other functions.
- 5.11 To reflect the national, regional and local planning policy context the introduction identifies the Council’s main planning objectives for open space, sport and recreation facilities. To summarise these relate to the protection and improvement of a wide range of open space, sport and

recreation facilities, which meet the needs and expectation of all residents of the Borough and, which are accessible to all residents, workers and visitors; the contribution to sustainable transport; supporting suitable recreation activity in the urban fringe; encouraging a more efficient use of land; and controlling the impact of recreational activity.

5.12 A summary of the current policies, incorporating the changes made at Revised Deposit, is set out below.

5.13 The policies are grouped under two part one policy headings:

- Maintaining Supply through the Protection and Improvement of Existing Open Space, Sport and Recreation Facilities.
- The Provision and Improvement of Open Spaces, Sport and Recreation Facilities.

5.14 The Revised Deposit Draft RUDP adopts a precautionary approach to the loss of open space, sport and recreation facilities, until such a time as the local needs assessment and audit of existing facilities has been undertaken. This interim position is reflected and acknowledged within the policies themselves.

RUDP Policy R1: Protecting and Enhancing Open Spaces, Sport and Recreation Facilities

5.15 The policy has been redrafted to reflect PPG17 and includes a list of 10 types of open space and land, buildings and routes used for sport and recreation purposes, which are considered to be of (or potentially be of) public value, further explanation of which is contained in Appendix E of the Revised Deposit Draft RUDP. The definition is comprehensive and now includes all open space of public value and areas of water, which may also offer important opportunities for sport and recreation, as well



as visual amenity and built recreation and sports facilities also, to bring the Revised Deposit Draft RUDP up to date as far as possible. The purpose of the list is not to say that these are all of public value, but that they may be of public value.

- 5.16 Significant amendment has been necessary to the reasoned justification, which signals the Council's intention to undertake a local needs assessment, audit of existing open space, sport and recreation facilities and preparation of local standards. It emphasises that in the absence of a robust and up to date local assessment of needs, and locally derived standards of provision, the approach set out within the Plan represents an interim position for the purposes of maintaining provision and determining public value.
- 5.17 This paper so far recognises the requirement of PPG17 for local authorities to undertake a local needs assessment and audits of existing facilities, to inform the preparation of local standards and strategies for effective open space planning and management. It was, however, felt that, given the timescales available, the completion of a local needs assessment and audit would not be achievable for incorporation into the Revised Deposit Draft RUDP. The implications of the new guidance, particularly in terms of the amount of work required, are considerable and it would take a significant amount of time, which would delay the UDP review process. The Revised Deposit Draft UDP does, however, reflect PPG17 as far as is practicable.
- 5.18 The Cabinet approved an interim position (September 2003), in relation to the requirements of the new guidance, which will apply until the local needs assessment and audit has been completed. In relation to the Revised Deposit Draft RUDP policy R1 the interim position provides a basis for assessing development proposals affecting open space, sport and recreation facilities and their public value, as PPG17 does not advise on how to assess and measure value in the interim (see

Appendix C). It ensures that the public value of open spaces, sport and recreation facilities is assessed on a fair and consistent basis.

5.19 The Council is currently undertaking a comprehensive study of open space, sport and recreation facilities. It is anticipated that the work will entail a local assessment of existing and future need, as well as an audit of public and privately owned existing open space and built facilities, by quality (including accessibility) and quantity. Analysis will enable local standards of provision to be set, which will then be used to inform and develop strategies to provide an overall framework to guide the planning and management of facilities in the Borough. A working group has been established to look at the preparation of the assessment/audit, and is currently defining the scope of the work identifying what information we have already. This will then feed into the preparation of a brief for the work to be undertaken. It is anticipated that the brief will be approved in January 2005 and begin in February/March 2005, and it is likely that the work will take 6 months to complete. Once completed it is anticipated that any further changes required will be picked up through a partial alteration to the Plan following adoption, or through its translation into a Local Development Framework.

5.20 As the policy represents an interim approach, for the reasons explained above, 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.

5.21 The standards 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 that the open space can have more than one function. Oldham's Playing Pitch Strategy identifies local qualitative standards for pitch provision and recommends their inclusion in the RUDP. The local standards for sports pitches remain the same however, in the interim, until the comprehensive local needs assessment and audit has been undertaken. There is a clear deficiency in pitch provision throughout the Borough, but maintaining the standard at 1.2ha per 1000 people will provide an opportunity for growth, as the Draft RUDP standard is more generous than that identified in the Playing Pitch Strategy. The approach therefore represents a cautious one in terms of protecting existing open spaces, until the audit and assessment provides more information on the precise levels of need.

5.22 The Council's standard guides the protection and maintenance of supply when considering planning applications for the development of a particular piece of open space within the neighbourhood, based on the Council's 1994 assessment of open space within the Borough. Using these standards, some areas have been identified as being deficient. Given the pressures placed on open space, sport and recreation facilities and the importance attached to it by the community and the Council, it is therefore 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.

5.23 The Proposals Map, which is now referred to in Revised Deposit Draft RUDP policy R1, continues to show all those sites 0.4ha or above, identified through the 1994 Survey. It does not show all the types of open space defined in the policy and Appendix E nor does it allocated new sites. The reason for this is that it is not considered practicable until the completion of the local needs assessment and audit, which will help to identify surplus and deficiencies and inform the provision of new sites. Once this work has been complete, however, there may be an

opportunity to reassess how this information is shown on the Proposals map.

#### RUDP – Policy R1.1: Protection and Enhancement of Existing Open Space and Outdoor Sport and Recreation Facilities

- 5.24 The policy has been strengthened to reflect the revised PPG17 approach to the exceptional circumstances in which the development of open spaces may be permitted.
- 5.25 The policy now requires developments to deliver a benefit to the local community that would outweigh the harm resulting from the loss of open space, as well as a replacement facility on another site, or if not practicable a contribution towards the enhancement of an existing facility nearby. Proposals for the development of open spaces will have to satisfy criteria to establish an exception to the policy, one being a demonstration that the facility is not valued by the community as demonstrated through an independent assessment.
- 5.26 The policy is not intended to stifle development on legitimate urban development sites, and the reasoned justification explains what type of wider community benefits that would allow development on open space, sport or recreation facilities and what is meant by “value” in the absence of an audit/assessment.
- 5.27 It is recognised that in an ideal world the policy should relate to recognised local deficiencies derived through a comprehensive assessment and audit. However as with other policies within the Open Space, Sport and Recreation Facilities Section, the policy represents an interim position until such a time as the local needs assessment and audit of existing facilities has been undertaken. The policy therefore seeks a precautionary approach to the loss of open space, sport and recreation facilities. Once an open space, sport or recreational facility is lost, it may be difficult to replace, and exercising control in this way is a

means of maintaining a supply and distribution of facilities, and enhancing provision.

#### RUDP – Policy R1.2: Protecting Built Sport and Recreation Facilities

- 5.28 First Deposit Draft RUDP policy R1.2 Improvement of Existing Facilities has been deleted from the Revised Deposit Draft RUDP since the direct improvement of facilities is not a land use matter within the remit of the UDP. The importance of improving existing open space, sport and recreation facilities is stressed in PPG17, as a way of improving the quality of existing provision. Poor quality open spaces often deter people from using them, and make it appear that there is a lack of open spaces within an area. Despite the deletion of First Deposit Draft RUDP policy R1.2 the stance is, however, still reflected in the Revised Deposit Draft RUDP by taking opportunities to improve open space, sport and recreation facilities where appropriate through new development.
- 5.29 The Revised Deposit Draft policy R1.2 protects certain core built sport and recreation facilities from development, for example municipal or commercial swimming pools or indoor tennis centres, which are most accessible. The addition of this policy responds to guidance set out within PPG17, which introduces the idea of protecting built sports and recreation facilities.
- 5.30 In a similar fashion to Revised Deposit Draft policy R1.1 a developer is required to demonstrate a surplus of facilities through an assessment and that the proposed development is widely supported by the community. Alternatively the Council would have to consider whether the development would outweigh the harm resulting from the loss of an indoor sport or recreation facility.

#### RUDP – Policy R1.3: Protection of Playing Fields

- 5.31 It was considered that the strengthened protection of playing fields advised by PPG17 warranted a separate policy to protect them.
- 5.32 As with Revised Deposit Draft RUDP policies R1.1 and R1.2 there are exceptions to the policy where the applicant can demonstrate through an independent assessment that the field, or part of it, is surplus to requirements. The assessment must have considered all the other functions of the playing field (i.e. they are often used for informal recreation outside school hours, or they may have visual amenity or wildlife value). The developer is also required to show that the local community supports the alternative proposals. Should the development proposal be acceptable the provision of replacement or enhanced open space and/or recreational facilities would also be required in accordance with policy R1.1.
- 5.33 The policy also refers to the statutory requirement for local planning authorities to consult Sport England on development proposals affecting all playing fields (even if the application site does not include the pitch element of the field).

RUDP – Policy R2: Provision of New Open Spaces, Sport and Recreation Facilities and the Enhancement of Existing Facilities.

- 5.34 Following the publication of PPG17 the policy has been revised to reflect the guidance more, which places greater emphasis on improving the quality of existing open spaces than previously. The policy no longer simply refers to the provision of open space (and other recreation facilities) as PPG17 advises that provision should be made for local sports and recreation facilities where planning permission is granted for new developments. The aim of the policy is to ensure that new residential developments contribute towards meeting the additional demand they create for open space, sport or recreation facilities.

## RUDP – Policy R2.1: Requirement for New Provision and Improved Open Space, Sport and Recreation Facilities and Residential Developments

5.35 The First Deposit Draft Replacement UDP Policy R2.1: New Recreation Sites, which identified Sam Road in Diggle as a new recreation site, has been deleted, as it is merely a statement of intent and does not serve a useful purpose in the Draft RUDP. The Revised Deposit Draft RUDP policy R2.1 is a redraft of First Deposit Draft RUDP Policy R2.2 that strengthens and clarifies the approach to the provision of facilities arising from new developments to reflect PPG17.

5.36 The threshold for contribution at 5 or more dwellings is carried forward from the First Deposit Draft RUDP, as is the requirement for mandatory on-site provision for 30 plus units and the expectation also of an on-site provision in the first instance for smaller developments of between 5 and 29 dwellings.

5.37 The policy has, however, been amended to allow for off-site provision or improvements where on-site provision is considered by the Council to be neither practicable nor desirable, irrespective of whether there is a known local deficiency, in relation to developments of 5 to 29 dwellings. Where this is the case three compensatory measures are listed:

- the requirement for the developer to provide facilities on another site; or if this neither practicable nor desirable
- the requirement for the developer to pay a commuted sum for the provision of new facilities or the enhancement of an existing facility; or
- a mixture of both.

5.38 Once again the policy represents a precautionary approach in the interim until the completion of the aforementioned local needs assessment and audit, to ensure developers provide for open space. The thresholds are, therefore, considered reasonable in that:

- All new development will, to some extent, generate demand for open space, sport and recreation provision.
- It is recognised that PPG17 states provision should only be required where, as a result of the development, there would be a quantitative or qualitative deficiency in provision. Without the aforementioned assessment and audit, however, any deficiency in a particular type of provision cannot be identified. Given that there is a finite supply of land in the Borough it is considered more prudent to require open space provision associated with new developments now, than to wait for audit results and find that we have a deficit of open space. Oldham's 1994 Recreational Open Space Survey shows that in 6 out of 9 of the Borough's neighbourhoods over half of the areas identified have a deficit of open space provision. This information needs updating however it does demonstrate that there is a significant deficit in provision of open space within the Borough.

5.39 The reference to part of any new facilities being laid out as children's play area has been deleted, as it may not be appropriate for every type of residential development. The recognition of play areas as an important type of provision has, however, been dealt with elsewhere in the policy, which states that "the required amount of provision in any instance shall be calculated in accordance with the Councils' standards". This approach allows for some degree of flexibility and co-ordination with the relevant local approved strategies, such as the Greenspace Strategy.

5.40 Amendments to the reasoned justification clarify the use of capital sums for new provision or enhancements to existing facilities, commuted sums for maintenance and Section 106 agreements. This reinforces the Government's stance on advocating greater use of planning agreements as a way of maintaining the supply through new provision, enhancements or replacements/relocation, in order to remedy a deficiency and secure on-going maintenance.



5.41 Reference to the rate (m<sup>2</sup>/dwellings) remains in the Reasoned Justification. It reverts back to the one rate for all sizes of dwellings (as in the Adopted UDP) at 30m<sup>2</sup>, to achieve the Council's standards of provision of 1.2ha/1000 population based on the average occupancy rate.

5.42 As previously stated the policy represents an interim position, and whilst it is not at present based on a local needs assessment and audit it is felt to comply with government guidance on planning obligations (Circular 1/97) in that:

- Any obligations would be directly related to individual proposals and the amount of replacement and/or commuted sum sought would be based on an individual proposal, rather than it being a blanket formulation.
- It provides (as requested in Circular 1/97) an indication of what might be expected of developers.

5.43 Policy R2.2 General Criteria has been created to ensure that new facilities contribute to sustainability objectives in line with PPG17, and to reflect the approach taken within paragraphs 20 to 32 of the guidance. It deals with the general principles regarding the provision of all new and enhanced open space, sport and recreation facilities including stadia, ensuring that they are accessible, located in areas with good access to public transport and incorporate routes for sustainable forms of transport.

## Appendix E

5.44 Appendix E is a new addition to the chapter that categorises the broad range of types of open space, sport and recreation provision that may have public value. Unlike the typology in paragraph 20 of PPG17,

Appendix E includes a category for “Built Facilities”. This reflects reference throughout PPG17 to indoor as well as outdoor sports and recreational facilities.

#### Sustainability Appraisal of Revised Deposit Draft RUDP policies

5.45 The Sustainability Appraisal that took place in Spring 2003, focussed on the potential impacts of the changes proposed in the Revised Deposit RUDP Draft and sought to ensure that where possible the revised policies continued to strike the right balance in supporting sustainability objectives. The main issues/conclusions raised were:

- The need to link to the area strategies and Community Plan to identify what the community values.
- The group did not want blanket protection of open space, preferring some flexibility to allow, for example partial development or remodelling to make facilities better or more usable, or even to remodel neighbourhoods to provide more appropriate and versatile, or better open spaces.
- Whether teenagers are catered for in the children’s play standards.

5.46 These issues were fed into the Revised Deposit Draft RUDP.

## **6.0 OUTSTANDING ISSUES**

6.1 This section summarises the outstanding issues raised by objectors and sets out the Council’s response.

6.2 As a result of the changes made at Revised Deposit stage, 17 objections were conditionally withdrawn, one from Sport England was partially withdrawn and 37 remain outstanding from the First Deposit Stage. The redrafting has satisfied almost a quarter of the objections received at First Deposit stage.

- 6.3 A further 26 objections were received at the Revised Deposit stage with 3 new expressions of support, received from the North West Regional Assembly and Sport England.
- 6.4 No objections have been submitted which question the Plan's overall approach or the need to protect and improve open space, sport and recreation facilities within the Borough.
- 6.5 The main policy issues raised by objectors and brief summary of the Council's response can be found in Appendix B. Please note these are a summaries of the main policy issues raised, these and others are discussed in more detail within the relevant policy proofs.

## **7.0 PRE-INQUIRY CHANGES**

- 7.1 Having considered the outstanding objections the Council proposes to make the following policy changes:

### **Draft RUDP Policy R1**

- 7.2 The Council has been requested to alter, in various degrees, the wording of the typology of open space, sport and recreation facilities contained in policy R1 and Appendix E (see page 31 below) in terms of categories B, E and G and the inclusion of an additional category.
- The Council accepts the request in respect of the latter and proposes the inclusion of additional category "K. Accessible Countryside in Urban Fringe Areas" as a pre-inquiry change. This category has also been added to Appendix E together with the following text under the Examples and Primary Purpose box: "These might include areas of managed countryside such as country parks and community forests".

- 7.3 This change has been made to fully reflect the typology set out in PPG17. Regarding the remaining objections in relation to categories E (Amenity Greenspace) and G (Allotments, Community Gardens and Urban Farms) it is not proposed to make any further changes as these are contained within the typology set out within PPG17.
- 7.4 A second policy change is proposed by the Council to amend the fourth line of the policy to read “which may be considered to be of public value” rather than “which are considered to be of public value”.
- 7.5 This change is proposed in light of the fact that a local needs assessment and audit has not yet been undertaken and that public value will be assessed in accordance with the approved interim position (see Appendix C).
- 7.6 A third pre-inquiry change is proposed by the Council to amend paragraph 10.15 of the reasoned justification to read “As part of the overall open space assessment, a comprehensive Playing Pitch Strategy (PPS) has been prepared by the Council, which determines whether the existing stock is adequate to meet pitch sport needs. The Strategy and action plans will sit alongside the UDP”.
- 7.7 Finally a fourth pre-inquiry change is proposed by the Council to amend paragraph 10.27 of the reasoned justification to read “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”.
- 7.8 Both the third and fourth pre-inquiry changes are proposed to reflect the current situation with regards to the two documents referred to, making the Draft RUDP as up to date as possible.

### **Draft RUDP Policy R1.1**

7.9 The Council proposes to amend “I” to “K” in the second line of the policy to correspond with the addition of a new category as discussed above.

7.10 The Council has been requested through a number of objections from Sport England to refer to local approved strategies within the policy. In this respect it is proposed to make the following amendments:

- Amend the second sentence of paragraph 10.32 to read “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 an approved local strategy where relevant”.
- Amend the final sentence of paragraph 10.33 to read “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”.

7.11 These changes are proposed to ensure that local Council approved strategies work together to fulfil Community Strategy objectives to provide a holistic approach towards the management and planning of open space, sport and recreation facilities to meet the needs of the local community.

### **Draft RUDP policy R1.3**

7.12 A request was made, by Sport England that the policy should refer to the Council’s Playing Pitch Strategy as an exception in determining whether playing fields should be allowed to be developed for alternative uses.

- The Council accepts that reference to the Playing Pitch Strategy should be made and proposes to add an additional exception referring to the Playing Pitch Strategy, to read:

“...and e) the proposal accords with the Council’s approved Playing Pitch Strategy”.

This exception will need to be met in addition to one or more of the others listed.

- 7.13 The change is proposed as the reference to the Playing Pitch Strategy within the decision-making process can help to determine and guide decisions on proposals to use playing fields, or part of one, for alternative uses.

#### **Draft RUDP Policy R2**

- 7.14 With regards to Revised Deposit Draft RUDP policy R2 an objection was received from Sport England that paragraph 10.52 of the reasoned justification fails to make reference to the term sport.

- The Council accepts that the sixth line of paragraph 10.52 of the reasoned justification, which reads “open space and recreation sites”, should be amended to refer to “sport” also. It is there proposed to add “sport” after “space” in the sixth line of paragraph 10.52 of the reasoned justification.

- 7.15 The pre-inquiry change is proposed so that the policy and reasoned justification takes account of sport fully.

#### **Draft RUDP Policy R2.1**

7.16 A request was made by Sport England that paragraph 10.56 of the reasoned justification should refer to the Greenspace Strategy as does paragraph 10.58.

- The Council accepts that reference should be made to paragraph 10.56 and proposes to add a final sentence to paragraph 10.56 to read “Reference should be made to the Council’s Greenspace Strategy or to any other approved local strategy for guidance”.

7.17 The pre-inquiry change is proposed as the Greenspace Strategy can help to guide decision-making regarding the requirement for new and/or improved open space, sport and recreation provision arising from new residential developments.

### **Draft RUDP Policy R2.2**

7.18 The Council proposes to amend the first sentence of the policy to read “The Council will only permit new or improvements to open spaces, or outdoor or indoor sports or recreation facilities, subject to the following....”. To ensure consistency between the policy and it’s title.

### **Draft RUDP Appendix E**

7.19 Objections were received in relation to the typology set out in Appendix E with regards to categories B and E.

- The Council accepts the request made by Greater Manchester Ecological Unit in relation to category B and proposes the following:
  - Add “Urban” before “Greenspaces” of category B in Appendix E to reflect policy R1.
  - Remove the word “urban” before woodland and insert “and urban forestry and scrub” after woodland within the examples and primary purpose of category B.

7.18 The pre-inquiry changes are to ensure consistency between Appendix E and Policy R1 and clarity. It is not proposed to amend the definition provided within the examples and primary purpose of Category E as this reflects guidance set out in PPG17, which promotes the use of the typology set out in paragraph 2 of the Annex or variations of it.

7.19 These pre-inquiry changes have been approved by Cabinet and are due to be approved by Council on the 24<sup>th</sup> November 2004. Please note there are technical pre-inquiry changes proposed that are not listed above.

## **8.0 CONCLUSION**

8.1 The proposed Revised Deposit Draft RUDP strengthens, in line with PPG17, the protection of open space, sport and recreation facilities. The Draft RUDP makes it clear that the policies represent an interim position until such time as the local needs assessment and audit has been undertaken. Notwithstanding this, however, it is felt that the policies have been tailored to meet the needs of the local community and the provision set out within PPG17 as far as possible. Some pre-inquiry changes are proposed, the main being to refer to local approved strategies where relevant, which will connect the land use planning system to the wider spectrum of policy and programme areas connected with open space, sport and recreation facilities.



**LIST OF CORE DOCUMENTS REFERRED TO IN PAPER**

**Document**

Urban Greenspace Taskforce Report “Green Space, Better Places” (published 2002),  
Planning Policy Guidance Note 17 (PPG17) Planning for Open Space, Sport and Recreation, ODPM, 2002  
A Companion Guide to PPG17: Assessing Needs and Opportunities, ODPM, 2002  
Regional Spatial Strategy for the North West, March 2003  
The Greater Manchester Strategic Planning Framework 1997/1999  
A Strategy for Greater Manchester; AGMA, 2003  
Oldham MBC’s Response to the Oldham Independent Review, June 2002  
Oldham’s Community Strategy 2002-2022  
Oldham Local Agenda 21 Plan, 1998  
Oldham Beyond – A Vision of Oldham, 2004  
Oldham MBC Adopted Unitary Development Plan, 1996  
Oldham MBC Greenspace Strategy, 2003  
Oldham MBC Playing Pitch Strategy, 2004  
Oldham MBC RUDP First Deposit Draft, October 2001  
Revision of PPG17; Sport, Open Space and Recreation – Consultation Paper, DETR, March 2001.  
PPG17 Sport and Recreation, DoE, 1991  
Oldham MBC RUDP Revised Deposit Draft, October 2003  
Oldham MBC Report of Assistant Chief executive, Corporate Policy, to Cabinet 11<sup>th</sup> September 2003 on PPG17  
National Playing Fields Association (NPFA) Standards  
Government Circular 1/97 Planning Obligations  
Oldham MBC 1994 Recreational Open Space Survey

**SUMMARY OF OLDHAM MBC RESPONSES TO MAIN ISSUES RAISED BY OBJECTORS**

POLICY / ISSUE	RESPONSE
<p><b>RUDP Policy R1</b></p> <p>Request for clarification and/or deletion of categories of open space listed in policy.</p> <p>Request made to cross reference list in policy R1 with Proposals Map, by including appropriate notation and identify Town and Village Greens/Allotments.</p> <p>The policy (R1.1 and Appendix E) protects land supposed to have amenity value.</p> <p>Request made to recognise cycles ways listed as recreation routes,</p>	<p>The Draft RUDP has been amended to introduce the typology set out in the Annex to revised PPG17. The guidance advocates broader definition of open space to the one defined in the Town and Country Planning Act 1990, and advises that open space should be taken to mean all open space of public value. It promotes the use of a typology, which gives a clearer definition of the type of land, which should be protected. The Council proposes to make some pre-inquiry changes (see section 7).</p> <p>The Council are yet to complete their local needs assessment and audit of existing facilities and until such a time this work has been completed it is not considered appropriate to illustrate the various types of open space present within the Borough on the Proposals Map.</p> <p>The categories of open space, sport and recreation facilities listed in the policy represent a menu of types of facilities to which the policy might apply. No particular measure of value is assumed for any category within the list and it is not considered that the policy sets out a blanket approach. Until the local needs assessment/audit has been completed the Council have approved an interim position to be applied when assessing value, to provide fairness and consistency within the decision-making process (see Appendix C).</p> <p>These issues were raised at First Deposit stage but that remain outstanding, it is however considered that most of these (if not all) have now been met.</p>

<p>together with the addition, and amendment, of recreational routes.</p> <p>Requests made for the designation of sites as recreational open space and the de-allocation of sites.</p> <p>Requests to amend boundaries of recreational open space, in particular Clayton Playing Fields and Land at Malby Street</p>	<p>It is not considered appropriate to designate additional areas of recreational open space, or de-allocate existing, until such a time as the Council has undertaken a local needs assessment and audit of existing facilities, through which we will be able to assess value and surplus effectively.</p> <p>These issues were raised at First Deposit stage but that remain outstanding, it is however considered that most of these (if not all) have now been met.</p>
<p><b>RUDP Policy R1.1</b></p> <p>Request made that where areas are already deficient in open space, commuted sums should be refused in preference to alternative land.</p> <p>Request made that policy refers to size in terms of the replacement of alternative facilities.</p> <p>Request to omit the requirement for the replacement facility to be provided prior to the use of the existing facility/site being</p>	<p>Revised Deposit Draft Policy R1.1 has been amended, making it clear that when it has been agreed in principle that open space can be used for alternative purposes, preference is for a replacement facility on another site.</p> <p>In respect of R1.1a it is felt that the question of size does not need to be included in the policy wording. It is considered that, on balance, omitting the size would not necessarily lead to a reduction in recreational open space. Size is not significant if the replacement facility in question is equally useful.</p> <p>Based on the latest available information held by the Council, there are areas in the Borough that have a deficiency in particular types of recreational open space and this should not be exacerbated - there needs, therefore, to be a safeguard, to prevent supply being affected to the detriment. Some developments can take some time to complete, meaning that supply</p>

<p>terminated.</p> <p>Policy does not relate to a local needs assessment/audit.</p> <p>Request made to refer to local approved strategies as part of the decision making process within policy.</p> <p>Amend policy to apply to Council owned sites as well as those outside the ownership of the Council.</p>	<p>would be reduced for the duration of the development unless it was replaced beforehand.</p> <p>The Council is currently preparing to undertake a local needs assessment and audit of existing facilities in accordance with the requirements set out in PPG17. The Revised Draft UDP represents an interim position until such a time as this work has been completed.</p> <p>It is agreed that local approved strategies should be used to inform the decision-making process when deciding whether replacement or improved provision is required and where this should be directed. Pre-Inquiry changes are proposed to reasoned justification to refer to such strategies (see section 7).</p> <p>It is considered reasonable that the policy will not apply to certain Council-owned previously developed sites where the intention to redevelop it in the future has been expressed in an appropriate Council resolution. It may be for example that a site has been cleared, but rather than leave it vacant until such a time that it comes forward for development, it is considered better to temporarily landscape the site, for safety and amenity reasons.</p>
<p><b>RUDP Policy R1.2</b></p> <p>Amend policy to refer to use of local approved strategies as part of the decision-making process.</p>	<p>The Council recognises that local approved strategies may provide useful guidance in terms of assessing proposals. In this instance it is, however, not considered appropriate to make any pre-inquiry changes.</p>
<p><b>RUDP Policy R1.3</b></p> <p>Refer to the Council's Playing Pitch Strategy as an exception.</p>	<p>It is agreed that an additional criteria should be added to the policy itself, referring to the Strategy as an exception in determining whether playing fields should be allowed for the development of alternative uses. A pre-inquiry change is proposed (see section 7).</p>
<p><b>RUDP Policy R2</b></p>	

<p>Objection received to the omission of facilities radio controlled model aircraft flying.</p> <p>Failure to acknowledge term sport.</p> <p>Requests made for the designation of more sites for recreational open space.</p>	<p>Whilst no specific allocation is proposed there are policies within the plan that provide a framework for determining applications for such pastimes.</p> <p>The wording of Revised Deposit Draft UDP policy R2 and its title has been amended to make reference to the term “sport”. A pre-inquiry change is proposed however to paragraph 10.52 of the reasoned justification to refer to the term “sport”.</p> <p>It is not considered appropriate to designate additional areas of recreational open space, or de-allocate existing, until such a time as the Council has undertaken a local needs assessment and audit of existing facilities, through which we will be able to assess value and surplus effectively.</p>
<p><b>RUDP Policy R2.1</b></p> <p>Where adequate public space can be provided / is in existence developers should not be required to make further contributions.</p> <p>An expectation for all contributions to be provided on site could thwart redevelopment.</p> <p>Request made for policy to comply with Circular 1/97.</p>	<p>It is considered that all new residential development will, to some extent, generate demand for open space, sport and recreation provision.</p> <p>See paragraph 5.38 within the Topic Paper.</p> <p>The Council has not as yet completed an assessment and audit, and as explained in the topic paper policy R2.1 (and others) represents an interim position until this work has been carried out. Until such a time therefore, the Council proposes to continue to apply the standards set out in Revised Deposit Draft policy R1.</p>

<p>Request made for areas of deficiency to be shown on the Proposals Map.</p>	<p>It is not feasible show areas of deficiency on the Proposals Map, at least until the Council have completed the local needs assessment and audit of existing facilities.</p>
<p>Request for justification and clarification regarding rate.</p>	<p>Reference to the rate (sqm/dwelling) remains in the reasoned justification and reverts back to the one rate for all sizes of dwellings (as in the Adopted UDP) at 30sqm. This is to achieve the Council's standard of provision of 1.2ha/1000 population, based on the average occupancy rate.</p>
<p>Request for maintenance period to amended to 5 years.</p>	<p>Maintenance is considered critical to the success of sustainable new or improved open space, sport and recreation provision and a 12 year period is considered reasonable.</p>
<p>Request that policy be deleted or guided by a local needs assessment.</p>	<p>The Council is currently preparing to undertake a local needs assessment and audit of existing facilities in accordance with the requirements set out in PPG17. The Revised Draft UDP represents an interim position until such a time as this work has been completed.</p>
<p>Request made that reasoned justification refer to the Councils Greenspace Strategy</p>	<p>It is agreed that the Green Space Strategy provides a guide as to the type, quantity and general location for the provision of off - site facilities. A pre-inquiry change is proposed (see section 7).</p>

## EXTRACT OF INTERIM POSITION FOR ASSESSING VALUE OF PUBLIC OPEN SPACE

### *“PREFERRED OPTION*

*An approach is needed which balances the PPG’s strengthening of the protection of open spaces with the other planning objectives relevant to Oldham. It is considered that the following approach would represent a consistent and practical way in which to consider proposals to develop all open spaces, allocated or otherwise.*

*PPG17 advises that facilities that are of a high quality, or of particular value to a local community should be protected. It suggests that such facilities may include:-*

- Small areas of open space in urban areas that provide an important local amenity and offer recreational or play opportunities;*
- Spaces that provide a community resource and can be used for festivals, shows etc, and*
- Areas that particularly benefit wildlife and biodiversity.*

*It also acknowledges that not all open space, sport and recreational land and buildings are of equal merit and that some may be available for alternative uses. It is proposed therefore to assess ‘public value’ using the following categories and indicators in order to assess the merits of each proposal to use open space, sport or recreation facilities for alternative purposes.*

### ***Open spaces designated as recreational open space and recreational routes in First Deposit Draft UDP and shown on the Proposals Map***

*These are known recreational and amenity sites identified in the Council’s 1994 quantitative survey, and those of 0.4 Ha and larger are shown on the Proposals Map of the first deposit draft of the replacement Plan. They include playing fields and recognised recreational facilities like Council managed urban and rural parks. It is proposed that they are of considerable public value and should be protected to the same degree as Policy R1.1 of the first deposit, such that that loss will not be permitted unless alternative equivalent facilities are provided in a suitable location. Recreation routes may be diverted to the satisfaction of the local planning authority.*

### ***Open spaces and sites last used for recreation or sport***

*Not all open spaces, particularly the smaller ones of less than 0.4 Ha, are shown on the first deposit Proposals Map, even though they were identified in the 1994 survey. They may for example include purpose made facilities for young people like kick about areas. There will also be new such areas formed since that survey. In the interim it shall be assumed that they have public value as an open space, and shall be protected to the same degree as Policy R1.1 of the first deposit draft of the replacement Plan.*

### **Open spaces designated as Local Green Gaps identified on Proposal Map**

*These open spaces shall be judged as having considerable public value as open spaces, and as such, notwithstanding other policies of the Plan, shall not be developed for alternative uses in the interim.*

### **Cemeteries**

*These are not protected by policies in the adopted UDP or the first deposit draft of the replacement Plan, but now fall within the broadened PPG17 definition of open space. They have been included in the revised deposit draft. It is proposed that they have considerable public value and should not be developed for alternative uses in the interim.*

### **Open spaces protected under other legislation eg Commons Registrations Act**

*Such areas include Clayton Playing Fields Town Green, Hanging Chadder Village Green, and Greenacres Village Green. They shall be deemed to have public value and therefore for the purposes of this approach, should not be developed for alternative uses in the interim.*

### **Sites allocated for development**

*Some brownfield and greenfield sites that may potentially be valued as public open space, have already been allocated for development in the first and revised deposit drafts of the Replacement UDP. When the allocation was originally made, the value of the site as an open space, using the 'narrower' pre PPG17 definition, would have been fully assessed. Allocating a site gives developers certainty regarding the presumption of the end use. It would therefore be unreasonable to change the 'goal posts' at this stage and remove that certainty, by presenting new requirements subsequent to the allocation. For example, it would be unreasonable to expect a developer to undertake a Borough-wide independent assessment, or obtain community support for the alternative proposals (although the latter would not affect the public's right to object to any forthcoming planning application), on a site that has already been allocated for development. Until the needs assessment and audit is completed, the proposed interpretation of PPG17 will be that the public value assigned to open space on allocated development sites shall not outweigh the fact of the allocation. When assessing planning applications on such allocated sites, greater weight will be given to the allocation than any claimed open space value, unless material considerations indicate otherwise.*

### **Former clearance sites**

*Some open spaces that have been previously developed then cleared of buildings may have become 'wilded' or been the subject of subsequent environmental improvement schemes. Many are Council owned, landscaped following clearance in the interests of visual amenity. As such, some may have become publicly valued as an open space. However, it was never the Council's specific intention to protect all these temporarily landscaped sites necessarily as open space, or for recreational purposes in perpetuity, irrespective of the degree of maintenance and the amount of investment on*



*the site. For the purposes of this interim position, these sites shall be considered to have no public value as an open space.*

### **Civic and Market squares and Built Facilities**

*It is considered that there would be insufficient justification to assign public value to these sites as an open space without the needs assessment and audit.*

### **Open spaces which are unallocated / windfall sites, including those smaller sites protected under R1.1 in the First Deposit Draft UDP and anything not included in the above categories.**

*Similarly to the proposed policies in the revised deposit, it is considered that officers will have to make a judgement regarding whether an open space has public value on a site by site, or proposal by proposal basis. It is intended to work up a comprehensive list of indicators or factors that should be taken into consideration regarding the degree of importance to the community that a particular area of open space may have. The following is an example, in no order of importance or weighting.*

- *Consideration of quality (using national indicators), including barriers to use, fitness for purpose, and seasonal variations;*
- *The degree of existing multi- functionality;*
- *Catchment area, considering barriers like main roads;*
- *Specific and unique visual amenity value;*
- *Important as an identifiable (or sentimental) local landmark;*
- *Scarcity value, for example, being part of an historic environment;*
- *The impact on quantitative supply using the 1994 survey;*
- *Evidence of use;*
- *Value for ecology, biodiversity as confirmed by Ecology Unit, and other natural features like protected trees;*
- *Use by all, ie accessible for all users;*
- *Value for alternative sport or recreational use in typology;*
- *Public access, (irrespective of ownership);*
- *Strategic functions as listed in the draft replacement Plan;*
- *Level and nature of local attitude to proposed alternative use;*
- *Whether the benefits of the alternative proposal would outweigh the loss, and the potential to replace as in Policy R1.1 of the first deposit draft UDP*
- *Current ease of maintenance;*
- *Potential for improvement; and*
- *Whether the open space forms part of a previous development scheme, or was a condition of such”.*

**GLOSSARY OF TERMS**

**Greenspace**

In terms of the Greenspace Strategy, greenspace is defined as being any vegetated and or structure, water or geological feature. It may be public or privately owned, and may or may not have public access. It can vary from an intensive sport or recreation area to a remote and protected wildlife sanctuary. Greenspace includes: Multi-purpose urban parks and gardens; country parks and specialist parks such as nature parks; outdoor sports facilities; children's play areas; amenity greenspace; natural greenspace, such as commons and woodlands; green corridors; and functional greenspace, such as allotments, churchyards and cemeteries.

**Playing Field / Pitch**

According to the Town and Country Planning (Playing Fields) Direction 1998 ""playing field" means the whole of a site which encompasses at least one playing pitch". Land owned by a local authority which falls within this definition includes, for example, parkland, open space used for informal recreation, or land leased to sports clubs, as well as playing fields used by schools, colleges and other educational institutions."