



BEDFORD
BOROUGH COUNCIL

Open Space Supplementary Planning Document

September 2013



Environment & Sustainable Communities

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1. Introduction and Purpose

1.1 Purpose of the Supplementary Planning Document

- 1.1.1 The purpose of this document is to expand on and provide guidance on the application of Policy AD28 (Provision of Open Space and Built Facilities in Association with New Development) contained within the Allocations and Designations Local Plan. It will enable landowners, developers and applicants to calculate the requirements for making provision for open space in new developments, assisting them in assessing development capacity and the value of land and making planning applications. It also gives guidance on financial contributions that developers will have to provide.
- 1.1.2 In April 2014 (or other date that is set by the government) or when the Community Infrastructure Levy Charging Schedule is adopted by the Council, the use of planning obligations in agreements entered into under Section 106 of the Town and Country Planning Act 1990 (s106 agreements) is to be scaled back and councils will no longer be able to collect and pool financial obligations from 5 or more planning obligations. The Community Infrastructure Levy (CIL) is a charge on new development based on the size and type of new development. It can be used by the Council towards some of the infrastructure priorities to support the development of its area listed in the Council's Infrastructure Project Plan for the use of CIL which includes some open space projects. A proportion of CIL collected will be directed to local priorities being passed to Parish Councils direct or in un-parished areas after consultation with neighbourhoods.
- 1.1.3 The Planning Obligations Supplementary Planning Document (SPD) was adopted on 17 July 2013. It outlines the Council's policy for securing planning obligations for new developments to secure the infrastructure needed to mitigate the impact of new development in the context of the current legislative framework for seeking planning obligations. Planning obligations may only be requested if it is necessary to make the development acceptable in planning terms, is directly related to the development and fairly and reasonably related to the scale and kind of the development. The Planning Obligations SPD sets out the Council's approach to seeking obligations to address infrastructure needs prior to adoption of a Community Infrastructure Levy and also the position afterwards when some site specific issues may remain to be addressed by S106 agreements. This Open Space SPD, which gives more detail on open space requirements, needs to be read in the context of the Planning Obligations SPD which provides more information on the Council's overall approach to S106 agreements.
- 1.1.4 The Open Space SPD will apply to the whole of Bedford Borough and only applies to applications involving residential development. Open space will also be required in association with other types of development but the type and amount will be guided by site specific circumstances. All development which meets the relevant thresholds stated below will be expected to comply with the standards outlined in Policy AD28 for the provision of open space, unless there are exceptional circumstances. Further details of the threshold are provided in section two.
- 1.1.5 The requirement for built facilities such as swimming pools and indoor sports halls is not included in this document. Whilst the provision of built facilities is included in Policy AD28, the provision of built facilities or financial contributions in lieu of on-site provision will be dealt with on a case by case basis for each

planning application. This will be based on the identified need for new built facilities or the enhancement of existing built facilities.

1.2 Policy Context

National Planning Policy

- 1.2.1 The National Planning Policy Framework came into force in March 2012. Paragraph 73 of the National Planning Policy Framework is relevant to this SPD. It states that planning policies should be based on an assessment of the need for new open space, sports and recreation facilities. The information from the current Council's Open Space, Sport and Recreation Study formed the basis of the open space standards as outlined in Policy AD28.

Bedford Borough Council Core Strategy and Rural Issues Plan

- 1.2.2 Policy AD28 flows from the Core Strategy and Rural Issues Plan Policy CP22 Green Infrastructure. Policy CP22 states that development will provide green infrastructure in accordance with adopted local standards. Where on-site provision is not possible or preferred, a contribution towards off-site provision or where appropriate, enhancement will be required. The policy further states that where necessary and appropriate the Council will use planning obligations to secure a financial contribution to cover the cost of the future management and maintenance of green infrastructure.

Allocations and Designations Local Plan

- 1.2.3 The Allocations and Designations Local Plan was adopted on 17 July 2013. Policy AD28 (Provision of Open Space and Built Facilities in Association with New Development) forms the basis of this SPD which outlines the local standards for provision of open space in developments. This SPD will provide more detail and clarification about the interpretation and application of Policy AD28.
- 1.2.4 Policy AD28 was derived from the findings of the Open Space, Sport and Recreation Study in which a borough wide review of open space, sport and recreation was undertaken in order to inform local policy making as part of the evidence base for the Allocations and Designations Local Plan.
- 1.2.5 The Open Space, Sport and Recreation Study identified all of the open space typologies within the borough showing those sites with public and private ownership with separate reports for the urban and rural areas. In addition, the study recommended the development of an SPD to set out design and quality standards for the different types of provision. The study recommended local standards for open space and these are now included in the Allocations and Designations Local Plan Policy AD28. The wording of Policy AD28 is as follows:

Policy AD28 – Provision of open space and built facilities in association with new development

Where new housing development is of a type likely to create a demand, the council will require provision of open space and built facilities in accordance with the standards in the following table.

Where possible, provision should be made on-site. Where this is not possible, practical or preferred, a financial contribution in lieu of on-site provision will be

required. Such contributions will be secured through planning obligations and will fund improvements to existing facilities or will be pooled to provide new facilities.

Provision should include a contribution towards the cost of future management and maintenance.

Open Space Standards		
Type	Amount	Accessibility
Parks & Gardens	0.5ha per 1000 people	15 mins walk
		1000m straight line distance
Accessible Natural Green Space	0.5ha per 1000 people	5 mins walk
		300m straight line distance
Equipped/Natural Play Areas	0.25ha per 1000 people	Pre-teens (up to 12 years)
		5 mins walk
		300m straight line distance
		Young people (13-16/17)
		15 mins walk
		1000m straight line distance
Informal & Amenity Green Space	0.5ha per 1000 people	1-2 mins walk
		100m straight line distance
Outdoor Sports Space		
• Synthetic Turf Pitches	0.052ha per 1000 people	No more than 20 mins travel
• Grass Pitches	1.016ha per 1000 people	No more than 15 mins travel
• Bowls/tennis	0.052ha per 1000 people	No more than 15 mins travel
• Total	1.12ha per 1000 people	
Allotments	0.35ha per 1000 people	15mins walk
		1000m straight line distance
Total outdoor open space	3.22ha per 1000 people	
Built Facilities Standards		
Type	Amount	Accessibility
Sports Halls	15.6sqm per 1000 people	No more than 20 mins travel
Swimming Pools	6.2sqm water space per 1000 people	No more than 20 mins travel
Total built facilities	21.8sqm per 1000 people	

Note: Travel time includes all modes of transport including, walking, cycling, public transport and motor vehicles

Borough of Bedford Green Space Strategy

- 1.2.6 The Green Space Strategy sets out the vision for the management of green space within Bedford Borough. The strategy outlines a long term vision with aims and objectives for the provision and enhancement of green space over the period 2012 to 2021. The study focuses on the urban area as this is where the Council's land holdings are mainly located. The Action Plan is the section which is of most relevance to this Supplementary Planning Document as it outlines the priorities for improvement, enhancement and delivery of green space. In accordance with the Core Strategy and Rural Issues Plan Policy CP22, on and off-site provision and enhancement will be made with regard to these priorities.

1.3 Sustainability Appraisal

- 1.3.1 It has been determined that a sustainability appraisal of this Supplementary Planning Document is not required. As detailed in the EU regulations, a Supplementary Planning Document does not require a Sustainability Appraisal to be completed if it relates to a parent document that has already had a Sustainability Appraisal carried out. The Sustainability Appraisal Determination Report is included in Appendix 7 for further information.

1.4 Open space types

- 1.4.1 This Supplementary Planning Document will cover the following types of open space that are outlined in Policy AD28:
- Parks and gardens
 - Accessible Natural Green Space
 - Equipped/Natural Play Areas
 - Informal and Amenity Green Space
 - Outdoor sports spaces
 - Allotments

2. How Policy AD28 will be applied

2.1 Application of the policy

- 2.1.1 Policy AD28 will apply when there is a net increase of 5 or more dwellings in use class C3 and C4 as per Table 1 below and there is a need for additional provision to make the development acceptable in planning terms as required by Regulation 122 of the CIL Regulations 2010. Conversions from other uses to residential premises where the development involves a net increase of 5 or more dwellings will also need to comply with the provisions of Policy AD28, but the policy will not apply to replacement dwellings.

Table 1 – Nature of Open Space Provision and additional thresholds

Category	Dwellings in Use class C3 and C4
Parks and Gardens	Yes *
Accessible Natural Green Space	Yes*
Equipped/natural play areas	Yes, but only where dwellings have 2 or more bedrooms as children are likely to be accommodated in a dwelling with 2 or more bedrooms. No, if the development will only accommodate adults such as in a sheltered housing scheme or retirement housing as children would not be living in these types of development
Informal and Amenity Green Space	Yes
Outdoor Sports Space (includes synthetic turf pitches, bowls greens and tennis courts)	Yes
Allotments	Yes*

* This will only be applicable where the development meets the thresholds for on site open space set out in section 2.4.2.

- 2.1.2 Equipped/natural play areas will not be required to be provided where the residential units will only accommodate adults such as in a sheltered housing scheme or retirement housing scheme.
- 2.1.3 The flow chart In Appendix 1 further illustrates the process for determining open space provision.

2.2 On-site provision of open space

- 2.2.1 Open space provides many functions ranging from amenity spaces, outdoor sports facilities, parks and natural green spaces which increase biodiversity and create wildlife corridors. On large sites on site provision to the required standards is required to mitigate the pressure on existing facilities from the additional population. The thresholds for on site provision for each type of open space are

based on the future population of a development which will generate a sufficient area for a particular type of open space to be provided on site. For example, the recommended minimum activity size for equipped/natural play area for children under 12 is 200m². Using the standard of 0.5 ha of open space equipped/natural play areas for young people, a development of 35 dwellings (based on an average occupancy of 2.5 persons per dwelling) would provide sufficient open space for on site equipped/natural play space. Provision on site will therefore be required for developments of 35 dwellings and above. For developments that do not represent a range of occupancies, a higher (or lower) threshold or smaller activity size may be appropriate.

- 2.2.2 In the case of large scale residential developments, open space of all kinds will be expected to be provided on-site and it is important that this is considered from the outset when designing a layout for such a development to provide additional open space for the future population which will be generated by the additional development. Large residential sites (i.e. 500 dwellings and above) will have a critical mass of population and should provide all types of open space on site. Where on site sports pitches are being provided they should be accompanied by appropriate changing rooms and car parking facilities. It is normally preferable to provide multiple sports pitches together in a hub site. In the case of large sites, only in exceptional circumstances will off-site provision be considered as an appropriate means of providing open space and therefore any proposal for off-site provision must be robustly justified.
- 2.2.3 Table 2 below shows the scale of development that will generate sufficient pro rata square metres of space (based on Policy AD28) to require the different types of facility on-site. If the development is below the thresholds for on-site provision, then a financial contribution in lieu of on-site provision may be required (details in table 3 below).

Table 2 – On-site requirements for open space

Type of space	Dwelling number thresholds for on-site provision
Parks and Gardens	250 dwellings
Accessible natural green space	200 dwellings
Equipped/natural play areas –	35 dwellings If a local deficiency in the area, 20 dwellings
Informal and Amenity Green Space	10 dwellings Between 5 and 9 dwellings, provide amenity space in the form of wider grass verges.
Outdoor sports space	250 dwellings
Allotments	500 dwellings

- 2.2.4 Local deficiency means that there is not a facility within the accessibility standard stated in Policy AD28.

- 2.2.5 To help in the design of on site open spaces, Appendix 9 outlines design principles for open space for developers to consider at the outset when providing open space.

2.3 Off-site provision of open space

- 2.3.1 If open space cannot be provided in part or full on development sites due to site constraints and site location, then provision may exceptionally be provided off-site where it is located within the accessibility distance from the development site or relevant part of it to the open space as stated in Policy AD28. Off-site provision means land not included within the planning application red line boundary.

2.4 Financial contributions in lieu of on-site provision of open space

- 2.4.1 Developers will be required to evaluate the need to include different types of open spaces when designing the layout of their development which should be based on the standards set out in Policy AD28. Where the development involves dwelling numbers which are below the thresholds set out in Table 2, but the development comprises 5 dwellings or more, or that type of open space cannot be accommodated on the site due to site constraints and site context, (unless the Council has brought a Community Infrastructure Levy Charging Schedule into force) then a financial contribution in lieu of on-site provision will normally be required. There may also be exceptional cases where it would be preferable to focus on the enhancement of an existing area instead of providing new open space on-site even when the proposed development is for more than the threshold in Table 2. This would be discussed during pre-application discussions with the Local Planning Authority on a case by case basis based on the particular circumstances of the site and character of the development proposal. Financial contributions will be used to provide or enhance facilities that are within an acceptable distance as set out in Policy AD28. The required thresholds for financial contributions in lieu of on-site provision are outlined in Table 3 below.

Table 3 – Financial contributions in lieu of on-site provision

Type of space	Threshold for contributions in lieu of on-site provision
Parks and Gardens	No contribution in lieu of on site provision is required
Accessible natural green space	No contribution in lieu of on site provision is required
Equipped/natural play areas	5 dwellings or more to 34 dwellings. Where there is a local deficiency, 5 dwellings or more to 19 dwellings.
Informal and Amenity Green Space	No contribution in lieu of on site provision is required as this space as should be provided on site for 5 dwellings or more
Outdoor sports space	5 dwellings or more to 249 dwellings
Allotments	No contribution in lieu of on site provision is required

- 2.4.2 There is no provision made for pro-rata contributions towards accessible natural green space, parks and gardens and allotments where the development is below the threshold stated in Table 2. For sites at or above the thresholds these types of open spaces must be provided on-site to immediately serve the needs of the

residents of larger scale residential developments. For sites of less than the threshold it may be difficult to demonstrate the “need” case and due to the scaling back of the use of planning obligations (which will come into effect from April 2014), it is most unlikely that there will be an adequate time period within which to accumulate sufficient pooled funding in lieu of on-site provision to make meaningful contributions towards providing enhancements to existing facilities or new facilities with direct functional or geographical linkage to the development site.

- 2.4.3 In most cases, financial contributions for play areas in lieu of on-site provision will only be required where there is an existing area nearby (within the accessibility standards outlined in Policy AD28) that requires additional provision to increase capacity or an open space where a new facility can be created to benefit future residents. For example, an equipped play space may be constructed in an existing open space. The Council maintains a database using geographical information systems (GIS) of existing open spaces within Bedford Borough and a map can be made available upon request to show the relationship between the development site and existing open spaces.
- 2.4.4 The various financial contributions in lieu of on-site provision will be based on the number of dwellings and the occupancy levels of the proposed dwellings as set out in Appendix 2. These figures have been calculated on the basis of the nationally recognised guidance from Sport England or the actual costs of recently constructed facilities, plus the forecast maintenance costs for 20 years. These costs were then used to apply the standard for open space provision (eg. 0.5ha per 1000 people) and a figure calculated per person. This figure was then multiplied by the occupancy rate for a dwelling with a set number of bedrooms. The current figures are included in this document and will be regularly reviewed with the most up to date table available on the Council’s website. Contributions will be indexed in accordance with Retail Price Index (RPI) and will be delivered by means of an undertaking or agreement which complies with section 106 of the Town and Country Planning 1990 as amended. A template of a s106 document is contained in Appendix 5 which is suitable for all open space contributions. Further details such as payment triggers will be provided in the specific s106 document.
- 2.4.5 Where the development is proposed within the rural area, financial contributions in lieu of on-site provision will be negotiated on a case by case basis depending on the need for provision and/or potential for enhancement of existing open space within the locality.

3. Commuted maintenance sums and adoption standards

- 3.1 Where it is agreed with the Borough Council that it or a Parish Council will accept responsibility for new open space facilities, Policy AD28 requires a financial contribution to cover the cost of future management and maintenance. The current costs are outlined in Appendix 4 and cover a standard maintenance period of 20 years. These sums will be reviewed on an annual basis and the most up to date version will be available for inspection on the Council's website.
- 3.2 A maintenance period, normally of one calendar year, will be required before an open space facility can be adopted, provided that the facility meets the required standard prior to adoption. The relevant adoption standards are outlined in Appendix 8. If the open space includes footpaths/cycleways with lighting it is likely that it will be dealt with as a section 278 highways adoption and the specifications will need to reflect this.
- 3.3 Devolved management will also be encouraged in appropriate circumstances for community groups, allotment associations or residents groups to take over the management of an open space facility from a developer. A developer can also transfer responsibility for the maintenance of an open space facility to a private management entity which will be responsible for long term maintenance as well as maintaining public access to the open space facility, provided that the Council is satisfied that the entity is sufficiently well resourced, or will be so, to ensure that the facilities are capable of being managed and maintained to the appropriate standard in perpetuity (which the Council considers to be for this purpose at least 120 years). Unless the Council or Parish Council adopts an open space facility, a management plan must be submitted and agreed in writing by the Council to ensure that appropriate maintenance and safety inspections regimes are carried out so the facility remains safe for members of the public to use. The developer will be expected to provide a nominated contact for members of the public to contact in case of queries regarding the site.

4. Spending of s106 contributions

- 4.1 Existing Council strategies help inform the spending of s106 contributions. The Borough of Bedford Green Space Strategy contains an action plan with activities for improvements in existing open spaces pursuant to Policy CP22 of the Core Strategy and Rural Issues Plan and also includes a list of deficiencies in the rural area. It is possible that demands may arise for other types of pitch provision e.g. lacrosse or volleyball and other sports that have a demand for new provision.
- 4.2 The money collected from the financial contributions in lieu of on-site provision will be ring-fenced according to the type of open space and the terms of the s106 agreement. This money will be spent on provision or enhancement of outdoor sports spaces and associated facilities such as changing facilities which will increase the playing capacity of sites through new provision or enhancing the existing quality of the pitches. For play areas, the monetary contributions will be spent on the enhancement of existing sites such as by providing additional facilities on a site to enable more play experiences. The type of provision may vary depending on location and there may be overlap with sports provision. For example an equipped play area could potentially be supplemented by a BMX track, outdoor gym or other sports provision.
- 4.3 Where the development site is within the urban area, the money is likely to be spent on sites that are under the control of the Council as it can ensure they remain publicly accessible. The Council will also work with local councils when considering improvements or new provision of open spaces within their areas.
- 4.4 In most cases the Council will look to offer contributions collected from development sites in the rural parishes to the relevant Parish Council in the first instance as most outdoor sports spaces and play areas in the rural area are managed by them.
- 4.5 Since projects are not always ready to commence on receipt of the relevant contributions and there may be a number of other reasons why the Council cannot spend contributions as early as might be desired, the Council would expect to be able to retain contributions for a period of 10 years from the date of payment. If requested, the Council will agree to provisions in the section 106 document for the return of any claimed unspent monies at the end of that period.

5. Definitions/glossary

Accessible Natural Green Space – covers a variety of spaces including meadows, river floodplain, woodland, copse all of which share a trait of being managed primarily for wildlife value but which are also open to public use and enjoyment.

Allotments – an area of non-residential land wholly or mainly cultivated by the occupier for the production of vegetables or fruit crops for consumption by the allotment holder or their family. This includes statutory and non-statutory allotments.

Class C3 Dwelling houses - Use as a dwelling house (whether or not as a sole or main residence) by—

- (a) a single person or by people to be regarded as forming a single household;
- (b) not more than six residents living together as a single household where care is provided for residents; or
- (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

Interpretation of Class C3

For the purposes of Class C3(a) “single household” shall be construed in accordance with section 258 of the Housing Act 2004(2).”

(Source: The Town and Country Planning (Use Classes) Order 1987 (as amended)

Class C4 Houses in multiple occupation - Use of a dwelling house by not more than six residents as a “house in multiple occupation”.

Interpretation of Class C4

For the purposes of Class C4 a “house in multiple occupation” does not include a converted block of flats to which section 257 of the Housing Act 2004 applies but otherwise has the same meaning as in section 254 of the Housing Act 2004.”

(Source: The Town and Country Planning (Use Classes) Order 1987 (as amended)

Dwelling – for the purposes of this document, a dwelling is a self-contained unit of residential accommodation capable of accommodating one household which could include but is not limited to, a flat, apartment or house.

Equipped/Natural Play Areas – equipped areas that cater for the needs of children up to 12 years of age and recreation opportunities for teenagers aged 13-16/17 which could include skateboard parks, basketball courts, multi use games and kick about areas. Natural play areas include play areas built using natural features such as logs, boulders, sand or mounding.

Informal/amenity green space – spaces open to free and spontaneous use by the public but neither laid out or managed for a specific formal function such as a park, playing field or recreation ground, nor managed as natural or semi natural habitat. It can also be used for passive recreation, play space for children-gardening and other outdoor requirements. Grass road verges are not included as amenity space, unless the development involves a development of between 5 and 9 dwellings. In this case, the amenity space should be designed in front of the dwellings to provide a contribution to the streetscape in the form of wider road verges which can accommodate street trees

and landscaping. For developments over 10 dwellings, a separate amenity area will be required to be provided on-site based on the standards contained in Policy AD28.

Measurement in a straight line – measuring on a straight line on a map from ‘A’ to ‘B’ not considering routes available by car, bicycle or foot.

Occupancy – For the purpose of calculating open space requirements, the following occupancy levels will be used:

1 bedroom 1.3 persons

2 bedroom 1.9 persons

3 bedroom 2.6 persons

4 bedroom 3.0 persons

5+ bedroom 3.4 persons

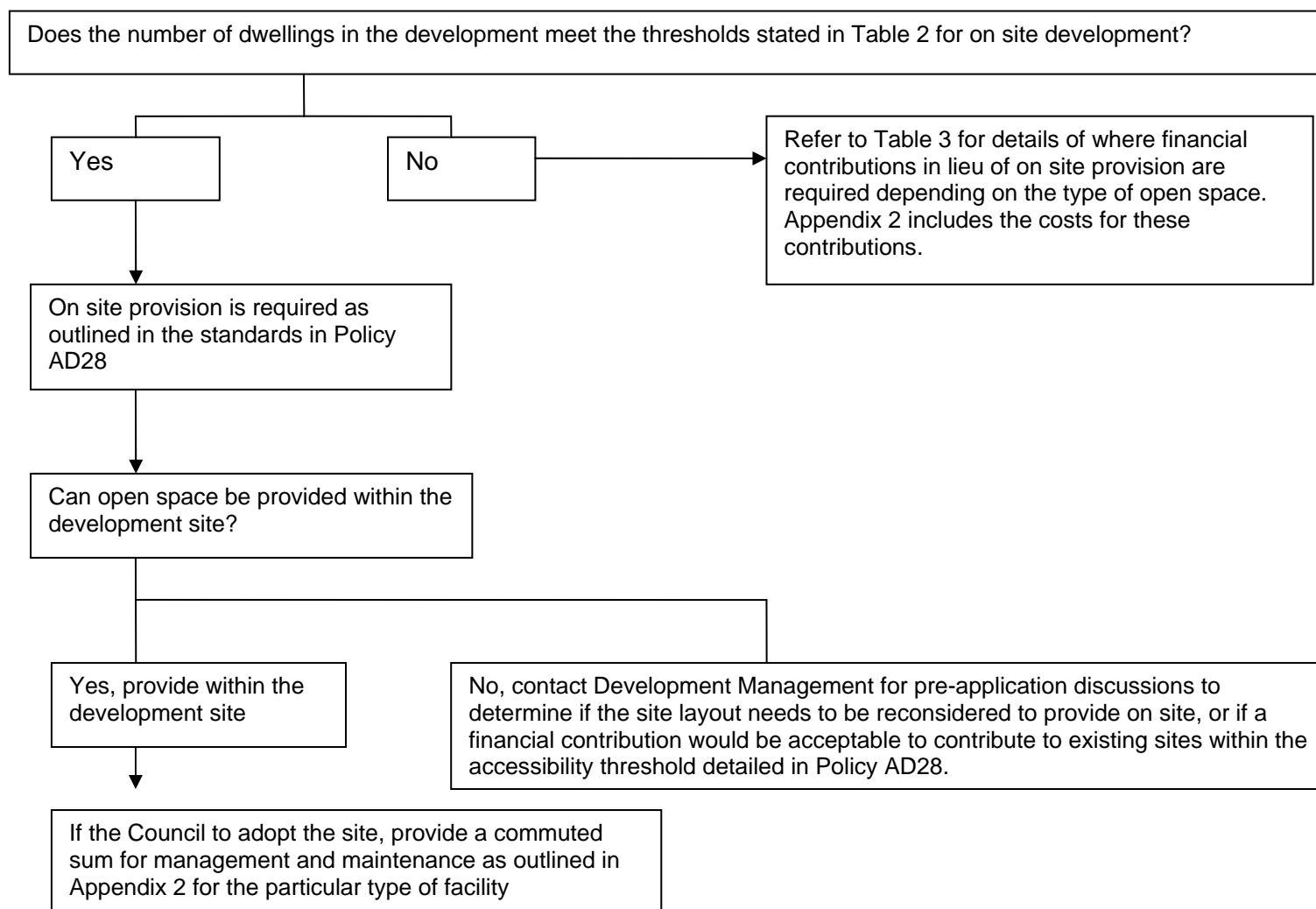
(source: Census 2011 – Household size by bedroom count for Bedford Borough)

Outdoor Sports Spaces – spaces where sport can be played which includes formal synthetic turf pitches, formally laid out grass pitches and courts for sports such as but not limited to football, cricket, tennis and lawn bowls. It also includes changing facilities and car parking areas.

Parks and Gardens – includes urban parks, formal gardens and country parks that provide accessible and high quality opportunities for informal recreation and community events.

Rural area – the area that is outside of the urban area boundary as specified on the Policies Map for Bedford Borough.

Appendix 1 Flowchart to show the process of determining where open space is to be provided



Appendix 2 - Financial Contributions in Lieu of On-site Provision of Open Space

Type of facility	1 bed dwelling cost (£) 1.3 persons assumed occupancy	2 bed dwelling cost (£) 1.9 persons assumed occupancy	3 bed dwelling cost (£) 2.6 persons assumed occupancy	4 bed dwelling cost (£) 3.0 persons assumed occupancy	5+ dwelling cost (£) 3.4 persons assumed occupancy
Outdoor sports space which includes car parking and a 2 team changing facility ¹	£1,084	£1,584	£2,167	£2,501	£2,834
Equipped/natural play areas ²	N/A	£1,217	£1,665	£1,922	£2,178

NOTE: THE COSTS SHOWN ABOVE ARE THE COSTS AT TIME OF ADOPTION OF THE SPD AND WILL BE SUBJECT TO REVIEW FROM TIME TO TIME. THEY ARE ALSO SUBJECT TO INDEXATION IN ACCORDANCE WITH SECTION 2.4.4 ABOVE AND THE MOST UP TO DATE VERSION OF COSTS FOR INDEXATION PURPOSES WILL BE PROVIDED ON COUNCIL'S WEBSITE.

¹ These costs were determined based on the costs of constructing a senior football third generation synthetic turf pitch, tennis court and outdoor football pitch with car parking and a two team changing room. The amount of open space to be provided per 1000 people is detailed in Policy AD28 and the cost of management and maintenance for 20 years is also factored into this cost.

² These costs were determined based on the average cost of constructing an equipped/natural play area for children 12 years and under and teenagers. The cost of management and maintenance for 20 years is also factored into this cost.

Appendix 3 Example of calculations for Contributions in Lieu of On-site Provision of Open Space

STEP 1 - Insert number of dwellings in yellow area		STEP 2 – the second column will determine if open space needs to be provided on-site or a financial contribution in lieu of on-site provision is necessary					STEP 3 - if based on the number of dwellings on-site provision is necessary, delete the contribution from that typology
1 bedroom	20						
2 bedroom	12						
3 bedroom	10						
4 bedroom	30						
5 or more bedrooms	23						
TOTAL DWELLINGS	95						
Typology of open space	On-site or financial contribution?	1 bedroom dwelling	2 bedroom dwelling	3 bedroom dwelling	4 bedroom dwelling	5 or more bedrooms dwelling	
contribution towards outdoor sports space	financial contribution	£21,680	£19,008	£21,670	£75,030	£65,182	
Equipped play areas	on-site						In this case, as on-site provision, no financial contribution required.
Totals for dwelling type		£21,680	£19,008	£21,670	£75,030	£65,182	
Final Total for 95 dwellings		£202,570					

NOTE: THE COSTS SHOWN ABOVE ARE THE COSTS AT TIME OF ADOPTION OF THE SPD AND WILL BE SUBJECT TO REVIEW FROM TIME TO TIME. THEY ARE ALSO SUBJECT TO INDEXATION IN ACCORDANCE WITH SECTION 2.4.4 ABOVE AND THE MOST UP TO DATE VERSION OF COSTS FOR INDEXATION PURPOSES WILL BE PROVIDED ON COUNCIL'S WEBSITE.

Appendix 4 - Commuted Sums Contributions Table for management and maintenance where the facility is provided on site

Type of facility	Commuted sum cost for 20 years
equipped natural play areas for 12 year olds and under	£93,260
equipped natural play areas teenagers (13-17 year olds)	£116,340
synthetic turf pitches	£213,600
Grass pitches (including 2 team changing rooms, and car parking)	
• cricket pitch	£122,360
• football pitch	£177,000
Bowls green	£218,300
Tennis court	£8,760

For all other types of facility that are to be provided, this will be determined on a case by case basis.

NOTE: THE COSTS SHOWN ABOVE ARE THE COSTS AT TIME OF ADOPTION OF THE SPD AND WILL BE SUBJECT TO REVIEW FROM TIME TO TIME. THEY ARE ALSO SUBJECT TO INDEXATION IN ACCORDANCE WITH SECTION 2.4.4 ABOVE AND THE MOST UP TO DATE VERSION OF COSTS FOR INDEXATION PURPOSES WILL BE PROVIDED ON COUNCIL'S WEBSITE.

Appendix 5 - s106 template document

Dated

20[]

The Council: Bedford Borough Council

The Owner: []

OBLIGATION BY WAY OF UNDERTAKING

Under the Town and Country Planning Act 1990

Section 106

Land at:

[]

OBLIGATION

Under the Town and Country Planning Act 1990

Section 106

THIS OBLIGATION BY WAY OF UNDERTAKING is made the

20[]

BY

[] of []
] ("the Owner")

TO

BEDFORD BOROUGH COUNCIL of Borough Hall Cauldwell Street Bedford

MK42 9AP ("the Council")

1. Definitions

1.1 In this deed the following words and expressions shall where the context so requires or admits have the following meanings:-

'the Application'	means the application under reference [] in respect of the Land for planning permission in respect of [<i>here describe the development proposed</i>]
'Index Linked'	means adjusted by reference to the change in the Retail Prices All-Items Index from the figure last published before [<i>here state indexation date</i>] and the figure last published before the date of payment whether provisional or final PROVIDED THAT the principal sum shall not be reduced as a result of such adjustment
'the Land'	means the land at [<i>here describe the land intended to be bound by the undertaking</i>] shown for identification purposes only edged red on the Plan

'Implemented'	means to have carried out a material operation within the meaning of section 56(4) of the 1990 Act in respect of the Planning Permission save that 'a material operation' shall not include :- (a) site clearance; (b) demolition of existing buildings; (c) archaeological investigation (d) the assessment of contamination (e) remedial action in respect of any contamination (f) diversion and laying of services (g) the erection of fencing or other means of enclosure for site security; and (h) the display of advertisements
'Interest'	means interest at 2% above the Bank of England lending rate prevailing at the date upon which payment is due
'Occupation'	means occupation for purposes other than construction and shall not include occupation by personnel engaged in construction, fitting out or decoration or the ancillary use of the finished buildings for sales purposes for use as temporary offices or for the storage of plant and materials and 'Occupied' shall be construed accordingly
'Plan'	means the plan attached to this deed
'the Planning Permission'	means planning permission issued pursuant to the Application
'[describe nature of contribution] Contribution'	means the sum of £[] ([figure in words] pounds) Index Linked as a contribution to the provision or improvement of [here describe subject matter of the contribution]
'the 1990 Act'	means the Town and Country Planning Act 1990

2. Recitals

- 2.1 The Council is the Local Planning Authority for the purposes of the 1990 Act
- 2.2 The Owner is the registered proprietor of the Land which is registered with freehold title at the Land registry under title number BD80533
- 2.3 The Council *[has resolved]* *[proposes]* to grant the Planning Permission in respect of the Application subject to the completion of an instrument complying with section 106 of the 1990 Act and which provides for payment of the [] Contribution

3 Statutory Provisions

This Undertaking:

- 3.1 Is given by the Owner to the Council
- 3.2 Is given pursuant to the provisions of Section 106 of the 1990 Act and is a planning obligation for the purposes of that section
- 3.2 Is given with intent to bind the Owner's interest in the Land
- 3.3 Shall be enforceable by the Council as Local Planning Authority
- 3.4 Is executed as a deed

4 Covenants by the Owner

- 4.1 The Owner so as to bind [its/his/her/their] interest in the Land hereby covenants (jointly and severally if more than one person) with the Council to pay the [*here state nature of contribution*]

Contribution to the Council [*here state trigger for payment of*

Occupation of permitted unit(s) including a restriction on Occupation PROVIDED THAT

- 4.1.1 the payment is conditional upon the use by the Council for the purposes for which the payment is made within 10 years of the date of payment and the return to the Owner of any part of the payment not used or committed to use within 10 years of the date of payment
- 4.1.2 a payment shall be deemed to have been used if paid, committed or allocated whether for use by the Council or any third party instructed by the Council and whether or not such payment has been made before or after such payment is made
- 4.1.3 Interest shall be added to the Contribution from the date when the payment of the Contribution is due to the date when payment is made

5 Third Party Rights

- 5.1 A person who is not a party to this Undertaking has no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term hereof but this does not affect any right or remedy of a third party which exists or is available apart from that Act

6 General

- 6.1 This Undertaking shall cease to have effect if the Planning Permission is quashed or revoked or the Planning Permission has expired without it having been Implemented

- 6.2 Nothing in this Undertaking shall constitute a planning permission in respect of the Application or of any description
- 6.3 Nothing in this Undertaking fetters or restricts the exercise by the Council of any of its powers as a local authority
- 6.4 This Undertaking is a local land charge and may be registered as such
- 6.5 Where the context so requires the singular includes the plural and vice versa
- 6.6 A reference to an Act of Parliament refers to the Act as it applies at the date of this Undertaking and any later amendment or re-enactment of it
- 6.7 No party hereto shall be liable for any breach of the covenant occurring after it has parted with the whole of its interest in the Land
- 6.8 The Owner will pay the Council's costs in respect of the negotiation and preparation of this Undertaking

IN WITNESS whereof the Owner has executed this Undertaking the day and year first before written

EXECUTED as a deed by the said Owner in the presence of :

Appendix 6 - Calculator for open space provision

A spreadsheet which is interactive available on Council's website.

Appendix 7 - Sustainability Appraisal Determination Report

Provided separately on Council's website

Appendix 8 Adoption Standards requirements

GUIDANCE NOTE - PROCESS FOR ADOPTION OF OPEN SPACE

To consider adoption, the Council will require full details of the development and the areas that the developer proposes for adoption. This should be agreed with Council's Parks and Open Spaces Team before construction of the area commences. The stages for adoption are as follows:-

1. The developer shall provide a scale plan (1:1250) detailing all the areas and features they propose for adoption. The plan should identify shrub, grass and play areas separately and quantify in square metres the different areas.
2. A commuted sum figure will be calculated on the basis of the areas proposed for adoption.
3. The developer will be informed of the commuted sum (the cost of the Council's legal fees will also need to be covered)
4. Should the developer wish to proceed with adoption then written confirmation of acceptance of the commuted sum will be required along with six copies of the site plan clearly identifying in a red outline the areas for adoption. The developer will also provide details of their solicitors or representatives that will deal with the transfer of the land so that this can be passed to the Council's legal division.
5. Any areas proposed for adoption must be laid out fully in accordance with planning approvals.
6. Should play areas be proposed for adoption, the developers shall provide a Certificate of Inspection from Royal Society for the Prevention of Accidents (RoSPA). All play areas must comply with latest European Standards and any work identified by the Royal Society for the Prevention of Accidents (RoSPA) must be undertaken by the developer before adoption can take place. The Council will also require the developer to provide a manual containing the product information as outlined on the attached list below.
7. The developer will normally be required to maintain the site for 12 months following completion of the areas inspected in 5 above.
8. The areas proposed for adoption will be subject to a joint site inspection prior to adoption to determine if the site is of an adoptable standard.

Product Information (required as part of (BSEN) British Standard European Norm)

1. Free space
2. Surfacing requirements
3. Dimension of largest part
4. Mass of heaviest part (in kg.)
5. Intended age range
6. Availability of spare parts
7. Standard compliance
8. If the equipment is intended for indoor or supervised use only (note; the Borough Council would not accept any equipment for outdoor public open space sites that require supervision)

9. Delivery parts list
10. Full installation instructions
11. Post-installation instructions
12. Run-in period instructions
13. Inspection and maintenance instruction (plus any specialised tools required for maintenance e.g. to tighten anti vandal fixings)
14. Servicing Instructions
15. Details of any special disposal requirements
16. Spare part numbers

Appendix 9 – Design principles of open spaces

In order to provide good open spaces, careful consideration should be given to the design and location within the borough. The following information is provided as a guide in initiating the first stages of design of open space. Pre-application discussions are encouraged with the Council's Parks and Countryside Team and Development Management to consider the distribution and type of open space for a new residential development.

Children's play spaces

Successful play spaces should:

- Be well located
- Provide a wide range of play experiences including climbing, swinging, spinning, sliding and opportunities for imaginative play and social interaction.
- Are accessible to both disabled and non-disabled children
- Allow children of different ages to play together
- Make use of natural elements where appropriate
- Build in opportunities to experience risk and challenge in a safe environment
- Allow for change and evolution.

The general requirements for play spaces for both age groups are as follows:

- Fencing to keep dogs out with gates opening outwards
- Signage at the entrances to the play areas to state who is responsible for the maintenance and contact details to report problems
- Access in the fencing for maintenance vehicles
- The entrance to the play areas will be based on the location of the play area as if next to a road, then the entrance may require a combination of slowing down the exit by the design of the layout or surface materials. A road barrier on the pavement may also be required.
- Seating areas for parents and carers and users of the play space
- Litter bins
- Any safety standards to comply with – EN1176 Playground Equipment Standard Fencing Standard BS1722

Before a design is drawn up, it is recommended that consultation be undertaken with the existing local community. This could include local residents groups, local sporting leagues or children's centres as well as neighbouring residents.

Play spaces for children 12 years old and under

- A minimum play area of 200 sqm
- A minimum buffer distance of 20 metres from the edge of the activity area to residential premises. Buffer areas may be made up of amenity or other appropriate types of open space and may include non open space land (e.g. parking areas or footpaths).
- The play on the site does not necessarily have to be all equipped, as in some instances there is a preference to have natural play features such as mounds, sculptures, different surfacing treatments/levels and sensory planting and surfacing which can still provide play opportunities. Consideration should be given to different equipment that can serve toddlers and older children.
- The play space should be within 5 minutes walk of the development
- Landscaping to be provided for the purpose of shade, as a buffer and possibly as a play feature for children



Good example of a play area at Bradgate Road, Bedford. This includes a fenced play area with seating, good play surfacing, bins and a range of play equipment to suit different age ranges. The area is visible in the street scene, so it is more likely to be used with people feeling safe to play here.



Location of the play area on the corner of Bradgate Road and Campbell Road



Example of outdated play provision behind Greskine Close, Bedford. The play area has limited equipment and is located behind housing, only accessed by small alleyways.



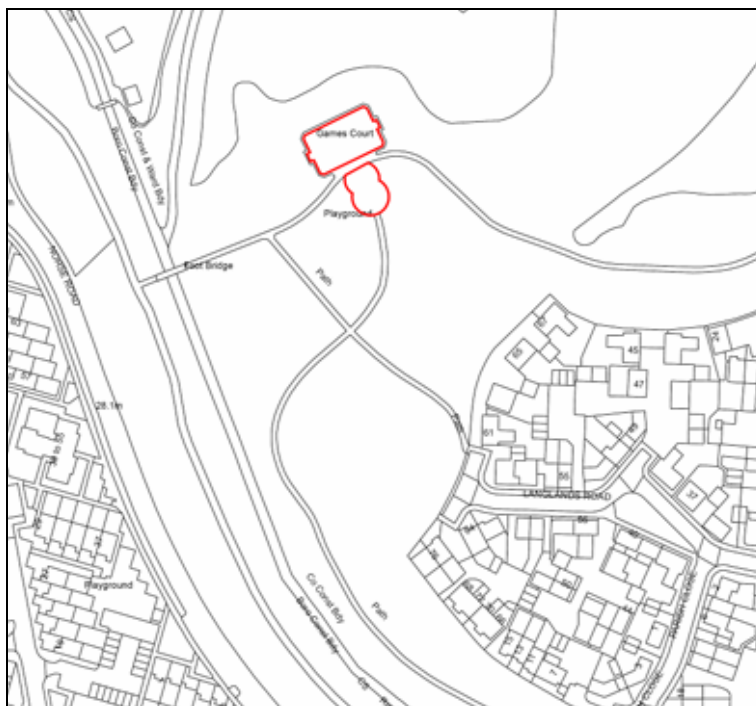
Location of play area which is surrounded by back gardens and accessed only by narrow alleyways.

Play spaces for teenagers (13 – 17 years of age)

- A minimum activity play area of 1000m² with challenging pieces of equipment
- A minimum buffer distance of 30 metres from the edge of the activity area to residential premises
- The area should be within 15 minutes walk of residential areas
- Kick about area for informal ball games
- Facilities such as a panna court could be incorporated into the play area where there is insufficient space for a full size multi use games area



A good example of teenage play provision at Saxon Grange, off Norse Road, Bedford. The area includes a multi use games area, seating and teenage play equipment.



Location of the play area, to the north west of The Spires residential development off Norse Road, Bedford

Informal and amenity green spaces

- Amenity space is to be provided for developments involving over 10 dwellings either on the site or in an off-site area as a separate area for the development within 100 metres of the development or a 2 minute walk of the site
- Where the development is between 5 and 9 dwellings, the amenity space should be designed in the front of the dwellings to provide a contribution to the streetscape in the form of wider road verges and be of sufficient width in order to accommodate street trees and landscaping.
- Informal green space should be provided in large areas rather than several small spaces to meet the standard of 0.5 ha per 1000 people.
- Need to provide low maintenance landscaping, with trees and shrubs, not just grass. Seating should be provided where appropriate.
- It is preferable to have a usable area, not just a grassed open area, but with bedding plants, wildlife garden/meadow, seating, bird watching.
- Where there are balancing ponds, the wildlife should be enhanced.



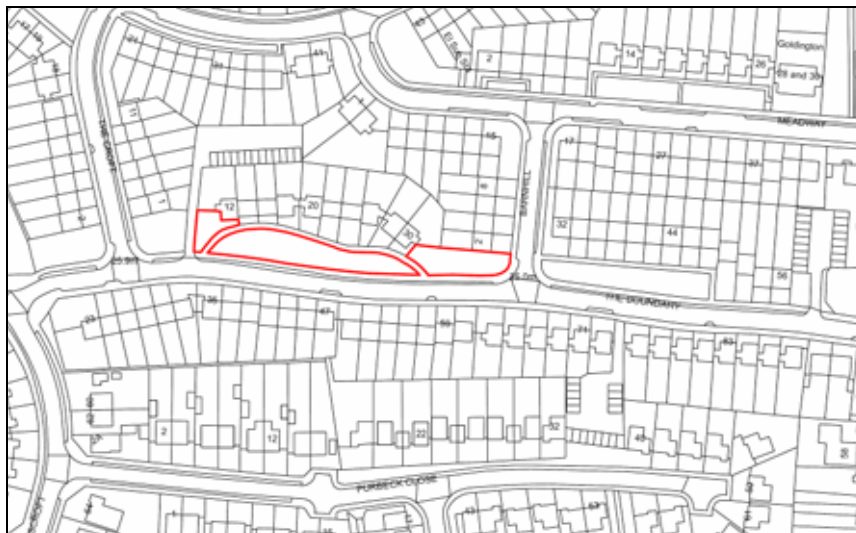
Good example of amenity space at Martin Close, Bedford. This space is large enough to accommodate landscaping within a residential area.



Location of Martin Close, which is a cul-de-sac



Amenity space at The Boundary along the front of houses being used for car parking instead of an amenity space.



The location of the photo on The Boundary between The Croft and Barnhill

Outdoor Sports Space

Synthetic grass pitches

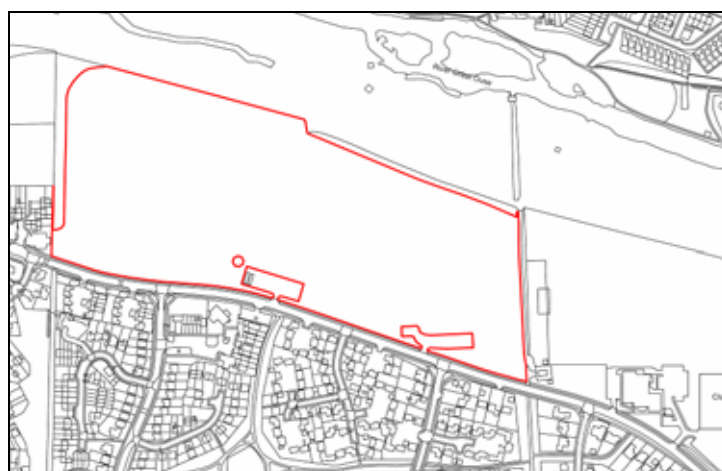
- The size of the pitch to be based on the Football Association standard sizes including runoff areas
- The number of pitches is based on demand identified in relevant reports – ie. Green Space Strategy
- Car parking to be provided at a rate of 20 spaces per pitch which includes 2 disabled spaces plus coach parking. Where spectator seating is provided, an additional one car parking space is to be provided per 10 seats
- Changing facilities required

Grass pitches

- Type of pitches provided will be determined by demand at the time for a particular type of pitch
- Changing facilities to be provided with the number depending on number of pitches provided on the site.
- Car parking to be provided at a rate of 20 spaces per pitch which includes 2 disabled spaces plus coach parking. Where spectator seating is provided, an additional one car parking space is to be provided per 10 seats.



Football pitches at Hillgrounds, Kempston which includes changing rooms in the background.



The location of the football fields at Hillgrounds Road



Cricket pitch and pavilion at Bedford Park



The location of Bedford Park on Park Avenue, Bedford with the cricket pitches on the western part of the park

Bowls/tennis courts

- The number of tennis courts or bowls courts to be provided will depend on demand within the area
- Bowling greens to have a building for changing and club use



Russell Park grass bowls green with the small pavilion building (shown on the right)



Russell Park bowls club is located in the north west corner of Russell Park

Allotments

- Minimum site size would be for 20 full sized plots (250m² each)
- Provide for varying plot sizes to suit all people and requirements
- Vehicle access from the adopted highway to the site to enable heavy goods to be transported to the site
- Paths between plots to be at least 1 metre wide and a vehicle access route to be 3 metres wide. Vehicles must be able to enter in forward gear from the site either with a turn around area provided at the end, or a one way system around the site
- Parking areas and paths where vehicles can be unloaded and exit in forward gear should be provided, however travel to the site should be preferably by sustainable means (i.e. walking, cycling)
- Cycle parking area on the site
- Security fencing and gates to prevent access from non-allotment holders.
- Consideration of composting toilets for the larger sites if considered appropriate
- A preference for the future management of the site to be devolved to a Parish Council, residents association or allotments association



Queens Park allotments, Chestnut Avenue



The allotment site on Chestnut Avenue which is a large site behind Queens Park Academy.