

South Gloucestershire Council

Department for Environment & Community Services
PO Box 1954, Bristol, BS37 0DD

PLANNING APPLICATION **RE-RE-CONSULTATION** RESPONSE

Memorandum to: (Case Officer)	Catherine Loveday, Senior Planning Officer
From:	Heather Cameron, Public Open Space Officer
Response from Service Department:	Environment & Community Services
Email:	heather.cameron@southglos.gov.uk
cc:	
Date:	19/03/19 16/03/20 02/10/20
Planning Application Number:	PT18/6450/O
Site Address:	Park Farm, Butt Lane, Thornbury, South Gloucestershire
Description of Development:	Erection of up to 595 dwellings (Class C3); up to 700sqm for Retail (Classes A1, A2, A3) and Community Hub (Class D1), network of open spaces, new roads, a sustainable travel link, parking areas, accesses and paths; and installation of services and drainage infrastructure (Outline) with access to be determined and all other matters reserved.
SUMMARY OF POS SECTION 106 REQUESTS	
Off-site Outdoor Sports Facilities provision/ enhancement contribution	£1,199,154.43
Off-site Outdoor Sports Facilities maintenance contribution	£362,942.76
On-site Open Spaces	See table below
On-site maintenance contribution (should Council adopt)	N/A – applicant intends to secure a mechanism to ensure ongoing maintenance and management in the S106
Open Spaces inspection fees	£52.00 per 100sq.m.plus £500 core service fee

Catherine, please find below final comments in purple. Other than some additional planting there have been no amendments to POS aspects of the submitted documents. Please do not hesitate to consult me when setting out the Heads of Terms.

Predicted future population of proposed development

Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of up to 630 dwellings would generate a total population increase of 1,512 residents.

It is reasonable to expect the future residents of the proposed development to require access to a range of open spaces. Set out below are open space comments and S106 requests based on the above dwelling mix and expected future population.

The following table shows the **minimum** open space requirements arising from proposed development and shows the contributions that would be requested if open space were not provided on site. However, **we would draw attention to the fact that provision must be delivered on site unless it is**

demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space	16,422	44,000	0	N/A	N/A
Natural and Semi-natural Open Space	21,420	120,800	0	N/A	N/A
Outdoor Sports Facilities	22,848	0	22,848	£1,199,154.43	£362,942.76
Provision for Children and Young People	3,570	3,400	170	At least the minimum policy requirement must be provided on site	
Allotments	2,856	3,000	0	N/A	

Proposed on-site provision

All plans should be to scale; plans not to scale are not acceptable.

No Outdoor Sports Facilities are proposed on site and I may have missed it but no explanation why it is not proposed on site has been provided. If this position is acceptable, an off-site contribution must be provided.

It is difficult to ascertain the potential effect of the highway access on the POS hedge, trees and play area in the neighbouring Park Farm development. An overlay should be provided on the approved Park Farm plans to show the impact. [I am unaware whether this matter has been satisfactorily concluded.](#)

The Planning Statement (PS) quotes the above amounts of open space would be delivered on site. It should be noted that there is currently a shortfall of Allotments and Provision for Children and Young People proposed; this is not acceptable and must be remedied.

The figures above no doubt take into account the Surface Water Infrastructure, which although it sits within the Open Spaces, does not form part of the policy provision. Recalculation of the figures is therefore required.

[The Planning Statement Addendum no longer states the proposed amounts of each category of open space; rather it just states that 17.93ha of open space is proposed. Whilst this is no doubt a large area, it includes the surface water infrastructure, and no doubt the scheme would be unacceptable if only low levels of open space were provided, as the character of the site would be out of keeping for the area. There must however be clarity as to the intended level of provision, as this would be set out in a S106. Capter 6 of the ES has a POS table which shows a minor shortfall of Provision for Children and Young People. As noted in my table above, this must be remedied. The proposed POS areas should be set out in the S106 Heads of Terms.](#)

Site levels are proposed to be raised in some areas by up to 600mm. In order to ensure the POS is usable and maintainable, and with no adverse impact upon vegetation for retention, there should be no drop-offs at the edge of the Open Spaces; any level changes should take place within the development itself.

It is not possible to tell which roads would be adoptable and which would be private but all POS must be accessible from the publicly adoptable highway. This includes a vehicular access to the allotments.

Provision for Children and Young People

With 10no. LAPs, 4no. LEAPs and 1no. NEAP it appears that the minimum sized play areas are proposed of each type. The inspection regime would be onerous, with at least weekly (or more frequently if heavily used or prone to vandalism) recorded inspections required to each of the play areas. In addition, better play value could be achieved by providing less but bigger and better equipped play areas. I would be interested to understand the play strategy e.g. there would be little point in providing the same type of equipment at each LAP. Some of the play areas seem to be located wherever there is a space e.g. beside attenuation basins is not the ideal location. Each of the play areas needs to be equipped to count towards policy compliance otherwise it is counted as Informal Recreational Open Space.

The only plan where extent of play areas is shown is the Indicative Drainage Strategy, which is not to scale. The plan on page 10 of the Arboricultural Impact Assessment and Method Statement that shows the tree numbers is also not to scale. I am therefore unable to ascertain the proposed sizes of the play areas or whether they encroach into root protection areas. **No revised AIA and the Indicative Drainage Strategy in the revised FRA is still not to scale.**

A LAP is shown under a veteran tree, no.99. This is not acceptable as there should be no development within the prescribed root protection area. A LEAP sits to the north of the tree but as the extent of the play area is not shown on the tree plan and the extent of the rpa are not shown on the Indicative Drainage Strategy, again it is not possible to establish the likely impact on the tree. Suffice to say there must be no detrimental impact upon any trees for retention and proximity of play areas to trees needs careful consideration in any event:

- Each piece of equipment requires set distances from other obstacles. Forced movement and encroachment in the fall space is not just about collision; it could be a child reaching out to grab a branch or twig whilst moving. If they were on a swing this could have enough force to pull them off the swing seat whilst they are up in the air or pull the seat sideways or the branch could cut into their hand.
- Bird droppings can build up quite quickly on equipment.
- A low branch above a piece of play equipment would tempt a child to try and climb high enough on the equipment to reach out for it e.g. climbing onto the roof of a unit rather than staying on the platforms, or to even try to jump sideways from the roof to reach a branch. Junior school children have admitted to the Council's Play officer that they love to climb onto the roof of a toddler multi-play unit and jump sideways to the roof of the next tower on the same item of equipment.
- Natural light - if a piece of equipment is always in the shade it will rust/rot faster and will look dirty. If the equipment is made from timber it can drastically reduce its lifespan.
- Lack of light will also have an impact on surfacing e.g. wet pour which is always in the shade becomes covered in debris, moss and algae, leading to it being very slippery; the rubber can become damaged as a result and impact attenuation properties can be compromised.
- Woodchip and bark, which may be suitable for play equipment under tree canopies, has its own problems. It requires regular topping up and redistribution, can become a place for animals to defecate which is not easy to clean up, and it can be very difficult to spot and remove broken glass or other sharps.
- Deciding on the best surface under tree cover is always a problem. Solid rubber surfaces need to be cleaned of debris or they become slippery as this begins to rot down. If open weave grass mat is chosen the grass does not grow well if it is in shade for much of the day so the soil is at greater risk of erosion. This can cause the tiles to sink into mud and when the mud bakes hard it compromises the impact attenuation properties of the surface. Other times the debris can fill up the open weave and then bake hard when it is warm and dry.

My advice would be not to place play equipment under new or existing trees. Trees can be useful to provide shade for benches, a space suitable for a picnic blanket or to park a pram in the shade. With careful planning one can ensure that at certain times of the day they cast a shadow over some of the equipment whilst avoiding a high level of maintenance.

The NEAP appears to sit within an area of trees. As a NEAP requires a hard surfaced area to allow wheeled or ball activities, it should be demonstrated how this could be provided.

I would encourage the use of steel equipment rather than timber for durability and longevity purposes.

The applicant states the amount of play space proposed will be informed by Policy CS24 for a development of up to 595 dwellings. However, rather than focussing on a quantum-based proposal, they have set out principles in the DAS for providing a balanced range of accessible play features based on a hierarchy of open spaces and green links.

Policy CS24 requires that Provision for Children and Young People is equipped play; unequipped play forms Informal recreational Open Space.

The separation distances between play area activity zones and dwelling boundary and habitable façades quoted by Fields in Trust must not be breached. This should be tested at this stage so that there is no doubt that at least the required separation can be achieved. Accessibility and inclusivity are important to ensure play is accessible to all children and young people. I recommend that any plans potential customers may view clearly state play areas rather than LAP, LEAP, etc., which may mean nothing to the layperson.

With regard to the NEAP, I would advise that a NEAP should have a rectangular hard surfaced area of a minimum of 465sq.m. for ball or wheeled activities, either rather, or in addition to the “grass kick-about” mentioned, which would be classed as Informal Recreational Open Space.

Several of the precedent photos show loose surfaces such as bark and sand. I would advise against these in the uncontrolled environment of POS due to the difficulties of ensuring attenuation depths are maintained. Additionally, they are more difficult to check for and remove broken glass and sharps.

Precedent images of the NEAP are very sculpture-based. For this and all the play areas, we would expect a wide range of equipment to be provided.

Images of mounds without erosion protection are not welcome, as this image shows lack of forethought; the usability disappears in wet conditions, of which we encounter plenty.



Play areas are areas where dogs and unaccompanied adults are not welcome; this must be borne in mind when making decisions as to whether to enclose large areas, as suggested in the revised DAS.

A mechanism would need to be put in place to ensure that policy compliance in terms of the level of play provision is achieved. As the site is likely to be phased, I would suggest a play strategy setting out how much and where should be submitted no later than with the first reserved matters submission.

As above, a mechanism for a play strategy must be agreed and set out in the S106 and the minimum policy requirement for size of Provision for Children and Young People must not be breached; there should be adequate space on site to comply with policy.

Allotments

Allotments are shown but the intended size is not apparent. The applicant must confirm their intention to provide at least the minimum policy requirement as this would need to be committed to in a S106. They must be laid out, levelled and top soiled with appropriate facilities including secure robust storage for each plot and a water supply (not just water butts) within reasonable reach (maximum distance of 30m from each plot), delivery area and parking for bicycles and cars. The paths between plots should be

of a width adequate for access by wheelchair. The plots themselves should be clearly demarcated and the overall allotment area should be fenced to preclude mammals such as badgers and rabbits. Traditional sized plots (250sq.m.) are not expected; smaller plots help to provide growing space for more people; in addition, many people do not want, or have the time, to cultivate a full-sized plot. Part of the allotment provision should be in the form of raised beds of differing heights to cater for mobility-impaired people.

Policy compliant amount has been proposed.

Surface Water Infrastructure

The FRA Indicative Drainage Strategy reveals the likely extent of the attenuation basins/ponds. They are shown tightly contained within the constraints of the flood plain, existing hedges and proposed development with little or no room for adjustment when detailed design is carried out. It appears that access for people and maintenance may be difficult given the depth and the embankment slopes proposed.

My understanding is that 300mm of freeboard is likely to be required rather than the proposed 200mm. Still only 0.2m of freeboard has been allowed for.

If periodic desiltation of the basins/ponds would be required, adequate access for the type and size of machinery would be required. Space to temporarily deposit the arisings to allow wildlife to escape back into the ponds would also be required. This must be available above the top water level. It is difficult, from the very limited information provided, to be confident that this can be achieved.

The revised FRA, extract below, seems to introduce hope that WW or SGC may adopt the SWI and states this would be explored at detailed design stage. This issue would need to be concluded for inclusion within a S106; it is not a matter that can be dealt with after a S106 is completed:

6.7.3 Following the adoption of the Design and Construction Guidance, approved by Ofwat in October 2019, the majority of SuDS features are now legally viewed as sewers and therefore can be adopted by water companies. Therefore, potential options for a SuDS adopting maintenance party include: an independent management company, Wessex Water or SGC. These options will be explored as part of the detailed design phase.

I would ask that the applicant desists from images of balloons littering the sky from their documents; it adds nothing to the narrative of the development proposals:



On-site open space maintenance

Core Strategy policy CS24 seeks appropriate arrangements to secure the satisfactory future maintenance of any open spaces and outdoor recreation facilities (for sport, recreation and play) that are to be provided in conjunction with new development. As the applicant proposes private management of POS and surface water infrastructure the Council must be confident that the value of any service to the public is sustainable and does not create ambiguity in how people access those services should they

have concerns or requests; it is important that the community receives a seamless service. Provisions to ensure suitable and secure in-perpetuity arrangements for operation, management and maintenance of all the public open spaces and surface water infrastructure (SWI within POS that is not adoptable by a statutory undertaker) will need to be incorporated into the Section 106 and the Council charges a fee (£52.00 per 100sq.m.plus £500 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.

How the Environment & Community Services requirements for Open Spaces meet the Community Infrastructure Levy (CIL) tests

Necessary to make the development acceptable in planning terms

There is a planning policy requirement for sustainable development and provision of a range of good quality well connected open spaces where existing open spaces are not easily accessible or do not have the capacity to fully meet the needs arising from the proposed development. Without provision or enhancement of open spaces people living here won't have adequate access which will prevent them from developing as a healthy, socially sustainable community. Without sufficient open space to meet local need this development will lead to increased pressure on existing facilities elsewhere.

Directly related to the development

Contributions towards off-site enhancements are only sought when there is evidence of a local shortfall in either quantity and/or quality/capacity to meet the additional demand arising from the new development and the policy requirements for open space are not being provided for on site.

Provision/enhancements will be made at one or more of the following locations and/or other such Outdoor Sports Facilities as may be appropriate:

Castle School, Church Road Playing Fields (aka Chantry Playing Fields), Thornbury Rugby Football Club, Castle Sixth Form, Mundy Playing Fields, Thornbury Tennis Club, Marlwood School, Thornbury Cricket Club, Rockhampton Cricket Club, Oldbury on Severn Playing Fields.

Fairly and reasonably related in scale and kind to the development

Where provision in line with minimum policy standards is not provided on site, the amounts requested towards the provision and/or enhancement of off-site open space and future maintenance are directly in scale with the quantum of open space required to offset the effect of the proposed development on existing provision; this is demonstrated in our calculations.

All calculations are based on the expected future population of the proposed development calculated using Census 2011 data on household size and the net gain and mix of dwellings proposed.

The calculator used to give costs for provision/enhancement and maintenance is regularly updated and reflects the type of spaces and facilities that the Council would expect to see delivered based on examples that have been adopted from other new developments, which have taken place within South Gloucestershire.

The capital contributions are based on a range of industry costs for the provision of open space facilities, and the maintenance costs are routinely tested through APSE (Association of Public Sector Excellence). They are therefore considered reasonable and fully justified in order to ensure standards of open space meet standards of appropriate national bodies e.g. Sport England, Fields in Trust and material relating to the Green Flag quality award scheme.

Details of 2018/2019 provision/enhancement and maintenance costs for each category of open space per sq.m.

	Informal recreational open space	Natural & semi natural urban green space	Outdoor sports facilities	Provision for children & young people	Allotments
Average provision/enhancement cost per sq.m.	£26.3910	£14.6247	£52.4840	£175.8617	£9.6245
Average 15yrs maintenance cost per sq.m.	£46.5188	£24.2608	£15.8851	£184.9199	£12.2720

NB These do not cover specialist features e.g. retaining structures, drainage structures such as underground tanks, penstock valves, hydrobrakes, etc. Should any of these be likely, a table of additional costs would need to be appended to the Section 106 to enable their cost to be factored into the maintenance contribution formulae.

These figures are subject to indexation using the Updating Percentages published by the Building Cost Information Service (BCIS) for the Schedule of Rates for Grounds Maintenance 1987.