

Open Space in New Residential Development Àite Fosgailte ann an Leasachadh Ùr Còmhnaidheach



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Introduction

The Highland Council welcomes well designed, sustainable developments that will enhance the Highland area as a place in which to live or work and to visit. Networks of well located, designed and managed open spaces and sport and recreation facilities enhance local amenity and provide opportunities for social and physical activities, help to mitigate the impact of climate change and support biodiversity and nature conservation. As such they are a critically important form of social, economic and environmental infrastructure. Poor quality, run-down spaces and facilities, on the other hand, fail to properly create local distinctiveness or support health, well being and community safety and cohesion.

Scottish Planning Policy 11 emphasises the importance of high quality spaces and facilities. The Council fully supports this view and will require developers to provide or contribute to the spaces and facilities the Council believes will be needed to meet the needs generated by new residential developments. They can be “on-site” (ie an integral part of the development, and therefore normally laid out by the developer) or “off-site” (ie in the vicinity of the development and on land which is normally not owned by the developer and therefore normally laid out by the Council or other appropriate body).

The Purposes of this Guidance

In general terms, the main purpose of this Supplementary Guidance (SG) is to provide guidance on the Council’s potential open space requirements for anyone seeking planning permission for four or more dwellings. In doing so, the Council seeks to support the delivery of the Council’s Single Outcome Agreement and in particular:

- National Outcome 6: we live longer, healthier lives
- National Outcome 10: we live in well-designed, sustainable places where we are able to access the amenities and services we need
- National Outcome 12: we value and enjoy our built and natural environment and protect it and enhance it for future generations
- National Outcome 15: our public services are high quality, continually improving, efficient and responsive to local people’s needs
- In more detail, the Guidance seeks to promote:
- **Fairness to dwelling owners:** the Council’s former policy of adopting on-site spaces and facilities, subject to developers providing a commuted maintenance sum sufficient to fund management and maintenance for a period of 40 years was not acceptable to developers, who regarded the 40 year period as excessive. As a result the Council often had to accept a lower commuted sum. As developers pass on commuted sums in the initial selling price of their dwellings, initial owners have had to pay an inflated price for their houses. Subsequent owners, however, have to pay nothing for management and maintenance until such time as the commuted sum is

expended, from which point it will be funded from the national system of taxation, including Council Tax.

- **Higher quality and more sustainable residential environments:** the Council is determined to ensure that residential developers deliver well located, high quality greenspaces that are fit for purpose and will be sustainable, together with enhanced biodiversity and long term environmental sustainability.
- **Better management and maintenance of on-site greenspace provision in the interests of both developers and the community as a whole:** the poor quality of open space management and maintenance co-ordinated by factors is the single most common complaint from local residents in relation to local greenspace provision, yet both they and the Council can be powerless to improve the situation. The Council's revenue budget is severely constrained and is limited in the extent to which it can be increased. Expenditure on grounds maintenance has reduced in real terms over the past decade and it is inevitable that this trend will continue. If the Council were to continue to adopt all on-site provision, this would result in the available resources being spread ever more thinly across more and more spaces and facilities and a noticeable decline in quality. This will clearly undermine the Council's policy objective of progressively enhancing greenspace quality throughout Highland. Clearly, therefore, there is a need for a new and better approach. The Council's preferred mechanism is therefore to give the residents of new developments a significant degree of control over their own local environment, in their own best interest.
- **Better value for Council Tax Payers:** devolving responsibility for small on-site greenspaces to the owners of new dwellings will make it possible for the Council to concentrate resources and efforts on major public spaces such as parks and playing fields.

The Application of This Guidance

This Guidance applies only to developments for which the Council grants planning permission on or after the 13th December 2012.

Content of this Guidance

This Guidance is in three main sections, all of which are available as both hard copy and can be downloaded from the Council's website www.highland.gov.uk:

- Part 1: Guidance for Developers provides most applicants for planning permission for residential developments with all the information they will need on the Council's requirements in relation to greenspace and sport and recreation provision.
- Part 2: Provision Standards sets out the standards the Council has adopted for open space, sport and recreation provision.
- Part 3: Technical Appendix sets out the policy justification for the Council's requirements and other relevant background information. It will be useful mainly to

those wanting to know the Council's justification for the requirements in relation to large developments and to support the Council's stance at planning appeals and call-in inquiries.

To simplify the process of applying the provision standards to development proposals the Council uses a simple "Open Space Requirements Calculator". The Calculator makes it possible for both the Council and developers to assess the maximum amount of provision required by a development in a way which is quick and transparent. Section 1.3 and 3.3 give further details.

Use of This Guidance

The Council strongly recommends that developers read the whole of this SG. Once they are familiar with this guidance, the best way to use it will be:

- Read Sections 1.1 and 1.2 for an overview of the SG and the Council's potential requirements
- Read Section 1.4 and 3.3 and use the Council's Open Space Requirements Calculator to determine its potential requirements. For most developments, the Calculator will identify the maximum amount of provision that the Council will require developers to provide or fund.
- Refer to other relevant sections of this Guidance as follows:
 - For any on-site provision that may be required, see Sections 1.2 (Design and Specification), 2.1 (Provision Standards), 2.2 (General Requirements), whichever of Sections 2.3 to 2.9 may be relevant, Section 1.4 (Management and Maintenance) and 3.5 (Administrative Matters)
 - For any contributions to off-site provision that may be required, read Section 1.5 (Developer Contributions), Sections 3.4 (Planning Agreements) and 3.5 (Administrative Matters). In addition, see Section 1.6 (Phased and Other Large Developments) if a development is to be phased or is very large.

In addition, developers requiring information on the policies underpinning this SG should read Section 3.1 and those requiring further information on the Council's provision standards should read section 3.2.

The Status of the this Guidance

The guidance reflects the policy advice given in SPP; PAN 65, Planning and Open Space, and Scottish Government Circulars 4/1998, The Use of Conditions in Planning Permissions, and 1/2010, Planning Agreements. The policy is supplementary guidance to

The Council will monitor the effectiveness of the Guidance and review its content at regular intervals to ensure that the guidance remains relevant and compliant with Scottish Government policy and advice and any relevant strategies adopted by the Council. This

guidance complements the Council's forthcoming Supplementary Guidance on Residential Layout and Design.

This Guidance provides additional information on the use of Policy 75 – Open Space of the Highland-wide Local Development Plan and has the same status as policy in the currently adopted Development Plan. It will be taken into account as a material consideration by the Council, Planning Reporters or the relevant Scottish Minister when determining planning applications and appeals and is strengthened by the fact that it relates directly to SPP. Policy 75 of the Highland-wide Local Development Plan states:

Policy 75 Open Space

The Council's long term aim for open space provision is for:

- the creation of sustainable networks of open space of high quality;
- areas of local open space that are accessible by foot and linked to a wider network;
- fit for purpose greenspaces and sports facilities that support and enhance biodiversity; and
- open spaces that improve the quality of life of residents and visitors.

To achieve these aims any new residential development of 4 or more dwellings will be required to provide publicly accessible open space in line with the quantity, quality and accessibility requirements set out in the Open Space in New Residential Development: Supplementary Guidance.

Existing areas of high quality, accessible and fit for purpose open space will be safeguarded from inappropriate development and enhancement will be sought, where appropriate. All sites identified in the Highland Council's Audit of Greenspace will be safeguarded unless:

- it can be suitably demonstrated that the open space is not fit for purpose;
- substitute provision will be provided meeting the needs of the local area; or
- development of the open space would significantly contribute to the spatial strategy for the area.

The Supplementary Guidance was formally adopted by the Council on 13th December 2012.

Terminology

Throughout this SG:

- All applicants for planning permission are referred to simply as **developers**
- **Open space** is a generic term that covers a range of types of predominantly vegetated "greenspaces" and predominantly hard surfaced "civic spaces". The SG is concerned only with greenspaces, including outdoor sports facilities such as pitches,

and any ancillary facilities that may be needed to support them such as changing pavilions, car parking and lighting.

- **Developers' contributions** (or, more simply, **contributions**) are capital payments which the Council will use to fund the provision or enhancement of greenspace, sport and recreation provision designed to mitigate the impact of proposed developments. They can be expended on-site (that is, as part of a development) or, more commonly, off-site (elsewhere).
- **Commuted maintenance sums** (or **commuted sums**) are single payments to the Council that it will invest to create a stream of revenue payments to fund the maintenance of new spaces or facilities adopted by the Council.
- **Dwellings** refers to all types of residential accommodation irrespective of whether they are houses, flats or hostels.
- **Planning conditions:** when a planning authority grants planning permission for something, the Council will normally impose one or more conditions. Their purpose is to help make a development proposal acceptable; for example, a planning authority might require a developer to make appropriate arrangements for the long term management and maintenance of on-site greenspaces.

Planning obligations: it is not always possible to make a development acceptable purely by attaching conditions to a planning permission. For example, residential developments that result in a net increase in the population of an area will very often increase the local need for more greenspace or sport and recreation provision. If it is impractical or undesirable for the additional provision required to be on-site – for example, because it would be too small to be of real benefit – it must obviously be provided somewhere else. As likely as not, that “somewhere else” will not be owned by the developer so he will be unable to make the necessary provision, but still be under an obligation to do so. Developers can discharge these obligations in two ways: by entering into a **planning agreement** with the planning authority or by offering a **unilateral undertaking** to do whatever is necessary. In an agreement, both the developer and planning authority - and occasionally, other relevant bodies or individuals such as land owners - undertake to do whatever is necessary to meet the obligation. For example, the developer covenants (ie makes a legally binding commitment) to pay the planning authority £X towards the cost of a play area, and in return the planning authority covenants to use that money to construct a specific play area. In a unilateral undertaking, the developer undertakes or covenants to do something but there is no reciprocal obligation on the planning authority. Planning obligations can also be used to obtain (or “secure”) whatever else may be needed to make a development acceptable that cannot be achieved through the use of conditions. Planning obligations are legal documents drawn up as deeds and the obligations in them “run with” the land until discharged. This means that obligations can impose burdens on subsequent owners of the land and not only the owner at the time the obligation is signed.

The main settlements in the Highland area are as defined in Appendix 6 of the Highland-wide Local Development Plan as:

Regional centres	Sub-regional centres	Local centres	
Inverness	Dingwall	Acharacle	Invergordon
	Alness	Alness	Kingussie
	Fort William	Beauly	Kinlochbervie
	Invergordon	Bettyhill	Kinlochleven
	Portree	Broadford	Lochcarron
	Thurso	Brora	Lochinver
	Wick	Culloden	Mallaig
	Dornoch	Dingwall	Muir of Ord
	Golspie	Dornoch	Nairn
	Brora	Drumnadrochit	Plockton/Kyle
	Helmsdale	Fort Augustus	Strontian
		Fortrose	Tain
		Gairloch	Thurso
		Golspie	Ullapool
	Grantown	Wick	

Executive Summary

Geàrr-chunntas Gnìomhach

- This SG applies to all applications for planning permission validated by the Council which, if approved and built out, will result in a net increase of four or more dwellings.
- Given the importance of appropriate greenspace, sport and recreation provision, the Council's long term aim is for the Highland Council area to have sustainable networks of high quality, fit for purpose greenspaces and sports facilities that support and enhance biodiversity and the quality of life of residents and visitors.
- In pursuit of this aim, the Council may require developers to provide or contribute to any or all of the following forms of provision:
 - Amenity greenspaces
 - Equipped play areas for children
 - Equipped teenage facilities
 - Natural greenspace
 - Parks and gardens
 - Pitches and other outdoor sports facilities
 - Other functional greenspaces, such as allotment gardens
- The Council will adopt and apply the provision standards outlined in Table 1 below to all new residential developments in Highland which will result in a net gain of four or more dwellings, including dwellings created by the sub-division of an existing building. They are based on a total of 40 sq m of greenspace provision per person in the regional, sub-regional and local centres (as defined in the previous section of this Guidance and the Highland-wide Local Development Plan) and 25 sq m per person in all other areas.
- The Council has placed the Open Space Requirements Calculator referred to later in this Guidance online at www.highland.gov.uk/developmentplans so that developers can use it to gauge what the Council's requirements for open space provision may be.

Table 1 Summary of Provision Standards

	Quantity Standard m² per person	Distance Threshold (minutes walk/straight-line distance)	Minimum size (m²)	Parking
Amenity Greenspace	8m ² per person	5 minutes/300m	500m ²	Not Required
Provision for Children and Young People	2m ² per person (applies only to equipped play facilities)	LEPA - 10 minutes/600m SEPA - 20 minutes/1200m	LEPA 1500m ² SEPA 2500m ²	Not Required
Natural Greenspaces	9m ² per person	10 minutes/600m	1000m ²	Not required for sites less than 0.5 ha. Adequate parking should be available for projected usage on or adjacent to sites above this size.
Public Parks and Gardens	8m ² per person	15 minutes/900m	5000m ²	Car - Not required for sites less than 1 ha Adequate parking should be available for projected usage on or adjacent to sites above this size. Cycle - 5 spaces per ha
Outdoor Sports Facilities	12m ² per person	15 minutes/900m	Dependant on sport.	Depends on sport: see Sections 2.3 to 2.9
Allotments	1m ² per person	15 minutes/900m	1500m ²	Car - 1 space per 10 allotments. Minimum 2 spaces
Natural Greenspaces	9m ² per person	10 minutes/600m	1000m ²	Not required for sites less than 0.5 ha. Adequate parking should be available for projected usage on or adjacent to sites above this size.

Notes:

- LEPA = Local Equipped Play Area
- SEPA = Strategic Equipped Play Area
- The Council will use these standards as its starting point when determining the provision required by proposed developments. However, the Council will be willing to interpret them with some degree of flexibility when the context in which a development is set makes this sensible.

The greenspace needs generated by new residential developments will depend largely on the number and types of dwellings proposed. Table 2 sets out the forms of provision required by different types of residential accommodation:

Table 2 - Types of residential development to which the greenspace and sport and recreation provision standards will apply:

Type of development	Parks and gardens	Amenity green space	Natural green space	Allotment gardens	Equipped play and teenage areas	Outdoor sports facilities
Open market dwellings	Y	Y	Y	Y	Y	Y
Affordable housing	Y	Y	Y	Y	Y	Y
Sheltered housing	Y	Y	Y	Y	X	X
Hostels and special needs housing	Y	Y	Y	Y	Y	Y
One for one replacement dwellings	X	X	X	X	X	X
Extensions to dwellings	X	X	X	X	X	X

Y = Provision is normally required

N = Provision is not normally required

- The Council strongly advises developers to discuss their proposals with the planning and development service before submitting a planning application. In the course of these discussions officers will advise on likely requirements in terms of:
 - Linking the development to its existing or planned context
 - Conservation of the natural heritage and the promotion of biodiversity
 - New or enhanced on-site spaces or facilities
 - New or enhanced off-site spaces or facilities
 - Compensatory or replacement provision for the loss of on-site spaces or facilities, if required
- The Council's preference is that any additional greenspace or sport and recreation facilities required to serve the residents of a proposed development should normally be on-site and therefore an integral part of it. However, if the area of provision required to serve a specific development is less than the minimum sizes set out in the provision standards outlined in Table 1 and Sections 2.3 to 2.9 inclusive, the Council will require developers to contribute to new or enhanced off-site provision.
- The Council will normally secure any greenspace or sport and recreation provision that is required on-site by means of a planning condition that complies with Scottish Government Circular 4/1998: The Use of Conditions in Planning Permission, or the current version of any replacement Circular or other policy advice issued by the Scottish Government.
- The Council's preferred approach to the management and maintenance of on-site spaces and facilities is for developers to (a) prepare a maintenance specification for the approval of the Council; (b) hand over ownership of the common areas to the dwelling owners on a joint basis; and (c) include a requirement in title deeds that the dwelling owners form a residents' association and then appoint and pay a contractor to undertake the maintenance set out in the approved specification.
- The Council will normally seek to secure any new or enhanced off-site greenspace or sport and recreation provision, or developer contributions to this provision, by means of a planning obligation under Section 75 of the Town and Country Planning (Scotland) Act 1977 that complies with Scottish Government Circular 1/2010, Planning Agreements, or the current version of any replacement Circular or other policy advice issued by the Scottish Executive/Government.
- The Council wishes to encourage developers seeking permission for small developments to submit unilateral undertakings alongside their planning applications, using a standard pro forma, in order to minimise the time needed to negotiate and prepare planning agreements. Its officers will advise on the content of such undertakings during pre-application discussions. This will minimise the cost to the Council and developers as well as the time needed to determine planning applications. In order to minimise the cost to developers and the Council, for many small developments this undertaking can take the form of a simple letter.

- The Council will require applicants for planning permission to meet the Council's reasonable legal and other costs in negotiating and preparing any planning agreement or unilateral undertaking that may be needed.
- This Guidance sets out how the Council will seek to apportion the land and development costs of on-site provision as fairly as possible where a development will be built out in two or more phases, or by two or more developers.
- This Guidance sets out the provision that the Council may require developers to make or fund. However, developers may put forward proposals for any on-site greenspaces or sport and recreation facilities they wish as part of a planning application. If these proposals are acceptable to the Council, a condition on any grant of planning permission may be imposed requiring that they conform in all respects to or exceed the provision standards set out in Section 2 of this SG.

1 Guidance for Developers

Stiùireadh do Luchd-leasachaidh

1.1 Assessing Needs and Securing Provision

This section describes how the Council will assess the greenspace, sport and recreation provision that will be needed as a result of proposed new residential developments and how the Council will secure that provision.

Pre-application Discussions

The Council encourages all developers to engage with the Council before a planning application is submitted.

This section provides guidance on pre-application discussions relating specifically to open space, sport and recreation provision. The Council strongly advises developers to engage in pre-application discussions with the planning and development service in relation to any development proposal that is likely to have an impact in terms of:

- Increasing the local need for or use of open space, sport and recreation provision; or
- The quantity, quality and accessibility of open space, sport and recreation provision
- In the course of pre-application discussions, the Council will aim to advise developers of any likely requirements in terms of:
 - Linking the development to the existing or planned context
 - Conservation of the natural heritage and the promotion of biodiversity
 - New or enhanced on-site spaces or facilities
 - New or enhanced off-site spaces or facilities
 - Compensatory or replacement provision for the loss of on-site spaces or facilities, if required

Advice provided by the Council will be the best available at the time it is given. However, the Council reserves the right to amend requirements in the light of a submitted planning application if it differs materially from proposals which were the subject of pre-application discussions.

In addition for all developments of 50 or more dwellings, where the site area is, or exceeds 2ha or those larger developments which may have a significant impact on small communities or environmentally sensitive areas developers are encouraged to use its Pre-Application Advice Service. Guidance on this service is available online at

<http://www.highland.gov.uk/planning>.

Dwelling Types and Provision Needs

The residents of different types of dwellings are likely to have different needs in terms of greenspace and sport and recreation provision. For example, sheltered housing will not increase the local demand for football pitches but will very often require on-site amenity space for the use of residents, even if there is existing provision nearby. The table below sets out the forms of provision the Council considers that the residents of different types of dwellings will require. If a proposed development contains two or more different types of dwelling, the Open Space Requirements Calculator will adjust the Council's overall requirements accordingly.

Table 1 - Types of residential development to which the greenspace and sport and recreation provision standards apply

Type of development	Parks and gardens	Amenity green space	Natural green space	Allotment gardens	Equipped play and teenage areas	Outdoor sports facilities
Open market dwellings	Y	Y	Y	Y	Y	Y
Affordable housing	Y	Y	Y	Y	Y	Y
Sheltered housing	Y	Y	Y	Y	X	X
Hostels and special needs housing	Y	Y	Y	Y	Y	Y
One for one replacement dwellings	X	X	X	X	X	X
Extensions to dwellings	X	X	X	X	X	X

Y Provision normally required

X Provision normally not required

Determining the Provision Required by a Proposed Development

In order to assess the amount of provision required to serve a development, whether it should be on or off-site and the most appropriate way of securing it, the Council will normally aim to provide clarity and reasonable certainty to developers in relation to the Council's requirements at the earliest possible stage in consideration of development proposals. In order to do so, the Council will:

- Use the “Open Space Requirements Calculator” to calculate the maximum amount of provision needed by the proposed development and determine whether that provision will be acceptable on-site
- Review the context within which the development will be set in order to determine the best way of ensuring that any additional, compensatory or enhanced provision will be in the most appropriate location and of an appropriate size, nature and quality
- Determine the most appropriate way of securing the required provision

Local requirements for outdoor sports facilities will depend very much on the context within which a proposed development will be set and therefore it is impossible to give specific advice on sports provision in this Guidance. The Council therefore advises developers to discuss potential sports provision needs with its Education, Culture and Sport (ECS) Service as early as possible in the development process. Developers should also refer to the Council’s Physical Activity and Sport Strategy.

For large developments of 50 or more dwellings the Council may ask the developer to undertake a detailed appraisal of local needs as part of the local consultations required by the Planning etc (Scotland) Act 2006.

Reviewing the Context

The Open Space Requirements Calculator calculates the maximum amount of different types of new or enhanced provision that a development may be required to provide, excluding any need there may be for compensatory or replacement provision. However, in some areas, some or all of the provision assessed by the Calculator may not be needed, for example if there is already ample provision within the applicable distance thresholds. Accordingly the Council will review existing provision in the vicinity of the development in order to determine the most appropriate course of action, taking full account of the location, amount and quality of existing provision. Section 3.3 provides further guidance on how it will do this.

Securing the Required Provision

- The Council will secure whatever provision may be required through the imposition of planning conditions or a planning obligation. For on-site provision, it will normally use conditions and Section 1.3 gives details of three standard conditions it intends to use.

Where it will be inappropriate to impose a condition requiring on-site provision, the Council will expect the developer to enter into a planning obligation under the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006. The Council will advise developers on any such obligations during pre-application discussions. For a unilateral undertaking offered by a developer to be acceptable to the Council it must:

- Include a covenant that all of the spaces or facilities to be provided by the developer will accord in all respects with the standards set out in Section 2 of this SG, as appropriate
- Offer contributions assessed using the Council's Open Space Requirements Calculator

1.2 Design and Specification

The Council is determined that new or enhanced spaces provided or funded by developers should be attractive and fit for purpose. This section sets out the approach the Council wants developers to take to the design and specification of on-site provision.

Context Assessment

For all developments of 25 or more dwellings, and unless otherwise agreed in writing following pre-application discussions, the Council will expect developers to provide a "context plan" showing the wider area within which their proposals are set as part of the Design Statement required by PAN 68. The context plan should extend to a distance of at least 600 m around the proposed development site and show various contextual information and the location of all existing greenspaces (including forestry and wooded areas, moorland and wetland) and sport and recreation facilities and other community facilities within this area that residents of the proposed development will be likely to use. The context plan should include (though not restricted to):

- Barriers to access to green spaces and community facilities, such as major roads, railway lines and watercourses
- Buildings around the perimeter of the site, with notes on their character and finishes
- Community Facilities
- Contours
- Cyclepaths and pedestrian routes, both surfaced and worn along desire lines
- Details of "bad neighbours" that may affect the site eg sources of obtrusive noise or smells
- Greenspaces
- Habitats and other important site features, including water areas and water courses
- Lochs, lochans and SUDS ponds
- Physical constraints on the design of the development (eg areas liable to flooding, areas with poor ground conditions, buried utility services, overhead power lines and steep slopes)
- Safe routes to school
- Significant man-made landscape features
- Sites with a nature conservation designation (eg LNR, SSSI, Natura sites)
- Sustainable transport routes

- Trees and other soft landscaping with broad details of species, approximate size and condition and including any trees which are the subject of a Tree Preservation Order on or within 50 m of the site
- Other relevant features such as local landmarks and views into, within and out of the site
- Views out from the site to local landmarks or the countryside

Site Planning

The site plan as proposed should demonstrate how the site layout responds to its context and the above features, opportunities and constraints and conform to the following broad principles:

- **Adaptability:** spaces should be fit for purpose but able to change over time to meet evolving local needs
- **Character:** each development should have its own specific identity which responds to but does not repeat the character of the area in which it is set
- **Continuity** and enclosure: there should be a clear distinction between public and private greenspaces. In order to preserve open-ness in residential developments, this can be achieved by using a path or low barrier to differentiate public from private spaces.
- **Diversity:** spaces should offer variety and choice to potential users and be designed to provide interest throughout the year
- **Ease of movement:** it should be easy to get to and move through spaces on foot and, if appropriate, by bicycle, along paths that broadly follow desire lines and link individual spaces with one another and spaces and facilities in the vicinity of the site. Path networks within sites should also link to core paths and the wider access network so as to promote walking and cycling. People should generally have priority over vehicles and the whole of the development should satisfy the requirements of the Disability Discrimination Act. In addition, paths should be a route through a sequence of spaces of varying size with views into and out of these spaces in order to enhance perceptions of safety.
- **Enrichment:** development should enhance sites and make them rich, varied and attractive environments for people and wildlife
- **Focus:** on-site greenspaces should be designed as the focus of new developments so as to provide an attractive setting for the dwellings. The Council will not permit greenspaces to be space left over after planning.
- **Legibility:** the routes through spaces should be clear, with landmarks or directional signs at appropriate locations.
- **Quality of the public realm:** spaces should be attractive, safe, uncluttered and designed in such a way as to be attractive and usable by everyone.

- **Sustainability:** all open spaces should be designed to promote biodiversity and support nature conservation.
- **Minimisation of nuisance:** spaces or facilities (eg pitches or teenage facilities) that will generate noise, light spill or other nuisance for the occupiers of nearby dwellings should be located as far away from them as practicable

The site plan should also identify areas left undeveloped as a result of flood risk and SUDS features such as filter strips, swales, bioretention areas and basins or ponds.

Evaluation of Development Proposals

The Council will evaluate development proposals against the above principles and the quality standards. The Council may refuse planning permission if developers do not comply adequately with them.

1.3 Management and Maintenance

The “liveability” of a residential environment depends on many things, including its layout, the design of the dwellings, the quality of the landscaping, the behaviour of the residents and visitors, how well owners maintain their properties, and the maintenance of common areas such as publicly accessible greenspaces and car parking areas, and in flatted developments, common entrances. However, greenspace quality is a key factor in determining the image of a development and the wider area in which it is set and promoting pride in it and responsible behaviour amongst residents. It is therefore a legitimate issue for the Council to tackle and the Council has set an objective of ensuring that all new spaces and facilities are of high quality and will be maintained to an appropriately high and sustainable standard thereafter. Accordingly, the Council will require developers to put in place effective arrangements for the long term management and maintenance of those on-site spaces and facilities that the Council does not adopt.

The Council will normally seek to achieve this through standard conditions attached to any grant of planning permission for a residential development that includes on-site greenspace or sport and recreation provision.

Allotments, Play Areas, Public Parks, Public Gardens and Sports Facilities

The Council has made a policy decision not to adopt most new on-site spaces or facilities provided by developers because of the long term implications for its revenue budget. However, in principle the Council remains willing to adopt allotments, equipped play facilities, public parks and gardens and playing fields because:

- It is desirable that all allotments should be let at standard charges
- Play areas should be properly inspected on a regular basis and any necessary maintenance works undertaken promptly

- Public parks and gardens should be freely available to everyone and not only the residents of a particular development
- It is desirable that all publicly accessible playing fields should have the same booking arrangements and charges

If a developer wishes the Council to adopt any or all of these forms of provision, it will require the transfer of the relevant land to it at no cost plus a commuted maintenance sum sufficient to fund maintenance for a period of 40¹ years. The Open Space Requirements Calculator will assess the maximum commuted sums the Council may require. The Council will formally adopt spaces and facilities at the end of the first year of developer-managed maintenance only if they meet the standards set out in Section 2 and are fit for purpose in all respects. Before this approach is taken, discussion should be held with Community Services² (formerly Transport, Environment and Community Services).

The Council's Standard Planning Conditions

The Council's standard conditions relating to long term management and maintenance for new or enhanced on-site greenspaces and/or sport and recreation facilities, other than allotments, play areas and playing fields, are:

Standard Condition 1

Prior to the commencement of development, details, including full specifications, for the layout, design and construction of green spaces, outdoor sports and recreation facilities that comply with, or exceed, the Council's adopted standards contained within Open Space in New Residential Development shall be submitted to and agreed in writing by the Planning Authority. The agreed scheme shall be implemented [insert timescale].

Standard Condition 2

Prior to the first occupation of the development, a scheme for the maintenance in perpetuity of all on-site green spaces and/or sports facilities and other spaces, facilities, features or parts of the development that are not the exclusive property of any identifiable individual house owner such as communal parking areas, the common entrances to flatted developments and estate lighting, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water, shall be submitted to and agreed in writing by the Planning Authority. The agreed scheme, which shall accord with the Council's adopted standards contained within Open Space in New Residential Development, shall be implemented [insert timescale].

1 Agreed by the Community Works Working Group 7/11/03 and ratified by Transport, Environment and Community Services Committee (20/11/03)

2 Please refer to recommendation of report to Transport, Environment and Community Services Committee on adoption of play areas - (19/08/04)

Note:

These standard conditions will be applied in most cases however in exceptional cases alternative conditions may be required. These will be applied at the discretion of the Council.

Compliance with Standard Conditions

The Council's Preferred Approach

The Council's preferred approach to compliance with the Standard Conditions is for the management and maintenance of the common areas of a residential development to be the shared responsibility of the dwelling owners. Sustainable Urban Drainage Systems, including features such as ponds, shall be adopted and thereafter maintained by Scottish Water. This will best be achieved by:

- The preparation, by the developer, of a detailed management and maintenance specification for the common areas of the development for the consideration, and after any reasonable amendment that may be required, approval of the Council
- The incorporation, by the developer, of an identical clause or clauses relating to management and maintenance of common areas in the title deeds for all of the properties in the development:
 - (a) Requiring the owners to contribute to the upkeep of the common areas of the development on an equitable basis and to form a Residents Association to manage, or appoint a Factor to manage, the necessary maintenance works to an agreed standard, which shall not be lower than the specification approved by the Council
 - (b) Granting the Council the right to select and appoint a maintenance contractor to undertake the maintenance to the approved specification if, in its judgement and acting reasonably, the arrangements made in accordance with (a) above have proved ineffective or have not been implemented as set out in the title deeds
 - (c) Granting any maintenance contractor appointed by the Council in accordance with (b) above the right to recover the costs of maintenance from the dwelling owners, plus a reasonable percentage to cover any administrative costs incurred in recovering those costs
 - (d) Setting out arrangements for SUDS maintenance

Notes

1. This approach refers to owners rather than the tenants of any rented properties in order to ensure that appropriate maintenance payments are made even if a property is unoccupied.
2. The Council will publish and revise as appropriate from time to time guidance on management and maintenance specifications in order to assist developers on the standards of maintenance it regards as acceptable and appropriate.

In addition, and in order for the Council to be satisfied that the developer has complied with Standard Condition 2, the Council will require the developer to ensure that the developer's solicitor or other legal agent acting in relation to the sale of any of the approved dwellings, and prior to the sale of the first approved dwelling or occupation of the first approved dwelling for rent:

- Provides a draft copy of the proposed standard clause(s) relating to the management and maintenance of the common areas to be included in the title deeds for each property
- If necessary, incorporates any amendments to the proposed standard clauses relating to management and maintenance of the common areas required by the Council, such amendments to be reasonable
- If necessary, provides a copy to the Council of the final draft clause(s) relating to management and maintenance of the common areas for its written approval
- Provides a written warranty to the Council that the approved standard clause(s) relating to management and maintenance of the common areas will be incorporated into the title deeds for each of the approved dwellings. This can be done either for each individual dwelling prior or, preferably, as a general undertaking relating to the development as a whole, by recording in a deed of conditions.

Adoption by the Council or other appropriate body

In exceptional circumstances, the Council may at its sole discretion agree to adopt on-site greenspaces and/or outdoor sport and recreation facilities designed, specified, laid out and constructed by developers if:

The provision meets the appropriate quality standard(s) in all respects at the time of adoption (ie complies with Standard Condition 3)

The developer provides a commuted maintenance sum on or before the date of adoption of the space or facilities by the Council, sufficient to fund the management and maintenance for a period of 40 years

The developer pays all of the legal costs relating to the transfer of the land or facilities to the Council

Other Approaches to Compliance with the Council's Standard Conditions

The Council will be willing to consider, on their merits, other approaches developers may wish to propose in order to comply with the standard conditions. However, the Council will always require to be satisfied that any arrangements the developer may propose will be at least as effective as those set out above and based on BS7370, Grounds Maintenance.

Sustainable Urban Drainage Schemes

Under the Water Environment and Water Services (Scotland) Act 2003, public but not private SUDS constructed to an appropriate standard are to be vested in Scottish Water, which will then be responsible for their management and maintenance. SUDS forming part of new residential developments in which the greenspaces are the joint property of the dwelling owners will however be “private” and therefore developers should contact Scottish Water to discuss and agree its requirements for adoption. Scottish Water may require developers to provide a commuted sum for management and maintenance. Discussion on this should be held with Scottish Water prior to submission of a planning application.

1.4 Developer Contributions

Developer Contributions

Where additional or enhanced open space provision is required in order to mitigate the impact of a proposed development and will not or cannot be provided on site by the developer, the Council may require the developer to provide a financial contribution that will be used to fund the necessary works at an appropriate alternative location.

The Calculation of Developer Contributions

The following costs will be taken into consideration when determining the level of developer contributions for each different form of open space provision:

- Design team fees and expenses
- Construction cost, including essential equipment
- A 10% on-cost, to cover project procurement and management by the Council
- In addition, the Council will require developers to meet the following costs, where appropriate:
- Any land costs and associated conveyancing and administrative costs that will have to be met by the Council

The Council’s legal and administrative costs in negotiating, drawing up, monitoring and if necessary enforcing any planning agreement or unilateral undertaking that may be required

The Use of Developer Contributions

Developer contributions from many small developments will be too low to achieve worthwhile provision or enhancement. In these circumstances the Council will seek to aggregate contributions from two or more developments in order to achieve a worthwhile improvement in the quality or quantity of provision, as appropriate. This may take some time to achieve as developments will be likely to come forward over a period. Accordingly the Council will keep all developer contributions in a specific account and ensure that they are not spent on any other purpose than that for which they were provided.

Within settlements, the Council's normal preference will be to use developer contributions to create additional or enhance existing provision within the distance threshold(s), appropriate to the various forms of provision required, of the development site. If this is not practicable, particularly in rural areas, the Council will seek to use the contributions within the ward in which the development is set.

For further details on how developer contributions will be sought, please see the Developer Contributions: Supplementary Guidance.

1.5 Phased and Other Large Developments

Some large developments may be built out in two or more phases over a period or by more than one developer. In these circumstances, the Council will seek to apportion the costs of meeting its requirements as fairly as possible across the phases or between the developers.

The most appropriate mechanism to achieve this will depend on the nature of the development, the way in which it will be built out and ownership of the site. The Council will normally prepare a development brief or require the developers to prepare a masterplan. Either of these should provide the framework for achieving an equitable solution. The Council's over-riding objective will be to ensure that any on-site provision will provide a comprehensive green framework for the development which is accessible and fit for purpose as soon as practicable. The Council accepts that there will be instances in which on-site provision has to be laid out and constructed over a potentially lengthy period. One of the following arrangements is then likely to be appropriate:

- Where there is more than one developer or phase of development, and all the development partners are known at the outset and working as a consortium, it will be up to the consortium to reach an acceptable way of apportioning the land and development costs of the on-site provision. However, each phase must incorporate sufficient provision to be fit for purpose and sufficient land reserved for all of the provision that will be required from the outset.
- Where there is likely to be more than one developer, but only the first developer is known, the Council will require that developer to agree a masterplan for the site with the Council. If all or a disproportionately large proportion of the land required for the on-site greenspace or sport and recreation provision is in the ownership of the initial developer it would be unreasonable to expect that developer to bear all of the land and construction costs. In these circumstances the Council will require the developer to enter into a planning obligation to safeguard the land and lay out the appropriate proportion of it. The Council will use its best endeavours to negotiate further planning obligations with all subsequent developers through which the Council will obtain sufficient contributions to lay out the remainder of the provision and reimburse the original developer for the appropriate portion of the land cost.

In exceptional circumstances the Council may forward fund the provision that will be included in later phases and require their developers to reimburse costs through developer contributions, secured through a planning agreement. This will both minimise costs to the developers of the second and any subsequent phases and secure the required provision early in the development process.

2 Provision Standards Inbhean Solarachaidh

2.1 Provision Standards

As recommended by PAN 65, the Council has developed greenspace, sport and recreation provision standards with accessibility, qualitative and quantitative components:

- **Quantity standards** set out the amount of different forms of provision required per person. The Council will use these standards as a starting point when assessing the amount of provision likely to be needed by the residents of new housing developments. The overall quantity standard is 40 sq m per person.
- **Quality standards** set out the quality of provision the Council will expect developers either to provide or fund. Whenever the Council requires developers to provide new spaces or facilities the Council will impose a condition requiring them to comply with these standards. Where existing spaces or facilities required to meet community needs do not accord with these standards the Council will consider there to be a qualitative deficiency in provision.
- **Accessibility standards** (or **distance thresholds**) set out the walking times and 'as the crow flies' distances that the Council regards as acceptable to potential users of spaces or facilities. The Council will use these standards to assess the extent to which existing provision may be "directly related" to the residents of proposed new housing developments within main settlements. The Council will take account of barriers limiting access to off-site spaces and facilities when determining the accessibility of existing provision in towns and villages. Accessibility standards will not be relevant to isolated developments outwith the settlements defined in Appendix 6 of the Highland-wide Local Development Plan and the Introduction to this Guidance.

2.2 General Requirements

The following general requirements apply to all forms of greenspace and sport and recreation provision:

Site Layouts

- Greenspaces are not the spaces between dwellings; they are the setting for them. Therefore greenspaces should be linked together to form a network wherever possible and dwellings should face greenspaces and significant spaces should never be "round the back" of them. This also aids informal surveillance and enhances perceptions of community safety.
- Masterplans for large residential developments should have a strong landscape structure based on a path system. This should broadly follow likely desire lines,

provide varied and interesting views and link the development with points of interest either within or close to it. These points of interest will have been identified on the Context Plan referred to in Section 1.2 of this Guidance and include viewpoints, shops, schools and other community facilities as well as green corridors and the core path and wider access network wherever possible (note: on some sites, such as playing fields and sports pitches, it will be necessary not to compromise the main use of the site).

- Site layouts should conform to the principles set out in the ACPO Safe by Design guidelines
- Pedestrian and cycle routes should always be more direct than vehicle routes and provide varied and attractive routes within housing areas and between housing and other areas, bus stops and community facilities, with lighting where appropriate. They should conform to the recommendations in Cycling by Design (published by the Department for Transport).
- Paths and cycleways may be located on land that is of medium to high risk of flooding, as defined in SPP.
- Paths must incorporate tactile clues to alert people with limited vision to trip hazards or changes in level
- All on-site greenspaces, water areas and watercourses should promote biodiversity and support nature conservation by protecting and enhancing existing habitats and wildlife corridors and creating new ones
- Greenspaces should be flexible and in prominent positions as much as possible in order to maximise their use
- Nodes and junctions on path systems should be close to landmarks (eg public art) or facilities (eg a play area)

Detailed Design and Specification

- All greenspaces should have a defined primary purpose, be designed for that purpose and accord with the appropriate quality specification. They must be designed for easy and cost effective maintenance by machine wherever possible.
- Residential developments should incorporate a Sustainable Urban Drainage Scheme (SUDS), designed in accordance with the recommendations in PAN 61, Planning and Sustainable Urban Drainage Schemes; guidance in The SUDS Manual (CIRIA C697, published in 2007); and Enhancing Sustainable Urban Drainage Schemes for Wildlife (SEPA, undated).
- Key SUDS components such as basins, ponds and wetlands should be designed as an integral part of open space provision and contribute to amenity as well as sustainable drainage and the control of potential flooding, but may not be the only open space in a development; Section 3.2 gives further details.
- Surface water drainage should not increase the risk of flooding on other land in the vicinity of the development

- Appropriate safety features must be provided adjacent to existing areas of water (eg life buoys, warning notices) and new water areas, such as SUDS ponds, should have shallow margins.
- All materials and workmanship shall comply with the current edition of all appropriate British or European Standards
- Paths must be well drained, suitable for wheelchairs and baby buggies, and comply with the Council's requirements for adoptable paths.
- Designers should specify recycled and local materials as much as possible. Timber detailing must be robust and metalwork must be finished with high performance coatings and not paint.
- Grass mixtures should be low maintenance and shrub beds densely planted with low maintenance shrubs and mulched with bark chips to a depth of at least 50 mm on top of landscape fabric.
- All spaces must be provided with litter and dog bins unless the Council agrees that they are unnecessary. All bins must be of a type approved by the Council and located within 5m of a road suitable for refuse collection vehicles, although it will be acceptable to have some bins that do not satisfy this requirement within large spaces of over 1 hectare, provided there are also bins at appropriate points around the perimeter.
- All spaces should be provided with appropriate signage relating to the control of dogs. For example, in natural greenspaces during the ground nesting bird season, they must be kept on a short lead and on playing fields they should be kept under control and not allowed to foul playing areas and any fouling of other areas must be removed.
- Signs and way-marking, where required, must be clear and uncomplicated with good colour contrast and simple lettering. Developers must comply with the Council's policy on dual language signs.
- Latches and gates, if required, must be secure but easy to use
- Construction waste must not be buried anywhere on site

Accessibility

The Disability Discrimination Act 1995, PAN 78, Inclusive Design, and SPP all promote the design of inclusive public spaces and environments that everyone can use. Since October 2004 service providers have been required to take reasonable steps to ensure that people with disabilities are able to use premises and spaces without unnecessary constraints. The Council believes that greenspaces should be usable by all people to the greatest extent possible without the need for adaptation or specialised design. Additional guidance on inclusive design is available in Inclusive Mobility (www.dft.gov.uk/transportforyou/access/peti/inclusivemobility).

Cycle Parking

Facilities for cycle parking must be conveniently located, secure, easy to use, adequately lit, well signed and sheltered from rain.

2.3 Amenity Greenspaces

Definition

- Landscaped areas providing visual amenity or separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities. When located in housing areas, they should be designed to stimulate children's imagination and therefore incorporate places to hide, climb, run around and see birds and animals; further details are given in Section 2.4.

Quantity Standard

- 8 sq m per person

Distance Threshold

- 5 minutes walk (300 m straight-line distance)

Minimum Size

- 500 sq m (0.05 hectare)

General Requirements

- Must comply with the general requirements set out in section 2.2
- Designed to create a sense of place and provide a setting for adjoining buildings, with "sun traps" sheltered from the prevailing wind
- Views out of or across the space, ideally to local landmarks
- Located away from sources of potential danger to unaccompanied children such as roads and areas of water
- Clear distinction between public and private or semi-private areas for residents
- Field drains or other measures to prevent spaces becoming waterlogged after heavy rain; however, this should not result in flooding elsewhere
- Passive surveillance from nearby properties (whether on or off-site), but in a way which respects the privacy of occupants
- See also section 2.4 as most amenity greenspaces should be attractive but non-equipped play spaces for children

Planting and biodiversity

- Good balance of mown grassed areas, in varying widths or sizes (large enough for informal recreation) and long life, mixed indigenous and ornamental species and ages of trees or shrubs, but with a predominantly open character
- Range of habitat types eg woodland, ponds, grasslands, hedgerows, areas of dense planting
- Buffer or shelter planting as necessary

Facilities and Features

- Should incorporate informal provision for children or teenagers
- Adequate litter and dog bins
- May incorporate public art or heritage features (eg statues)
- Comfortable seats, in both sunny and sheltered areas, ideally overlooking points of interest or attractive views. Seats may be within an open-sided shelter, a bench, a seat or picnic unit and must not be “hidden away”

Vehicle Access and Parking

- Not required, although there must be an adequate means of access for maintenance machines

2.4 Provision for Children and Young People

Definition

Spaces and facilities designed for active and imaginative play by children and young people consisting of

- Greenspaces in housing areas offering reasonably safe and accessible informal play opportunities for children and young people (see Section 2.3)
- A hierarchy of equipped play facilities (see below)

Equipped Play Hierarchy

The hierarchy of equipped play spaces should be:

- Local equipped play areas (see below).
- Strategic play areas (see below); however, these will be provided only in the Regional and Sub-regional settlements defined in Appendix 6 of the Highland-wide Local Development Plan, with one strategic facility in each Integrated Learning Community area. They will be large and include a wide range of equipment items.
- Informal facilities designed for young people approximately 13-18 years old in which they can “hang out” and practise various sports or movement skills such as basketball, inline skating, skateboarding and other wheeled sports. Ideally, they should be located close to a multi-court (see Section 2.8).

The Council will require that developers design all on-site greenspaces in housing areas other than allotments to provide opportunities for stimulating and imaginative play. Play England’s publication *Design for Play: A guide to creating successful play spaces* offers advice on how to do this.

Quantity Standard

- 2 sq m per person (note: this quantity standard covers only equipped play facilities and not amenity greenspaces used for play, for which the 8 sq m per person standard in Section 2.3 applies)

Distance Thresholds

- Amenity greenspaces in housing areas: 5 minutes walk (300 m straight-line distance)

- Local equipped play areas: 10 minutes walk (600 metres straight line distance)
- Strategic equipped play areas: 20 minutes walk (1200 metres straight line distance)

Minimum Size

- Amenity greenspaces in housing areas: see Section 2.3
- Local equipped play areas: 1,500 sq m, typically with at least a dozen items of equipment. Bellfield Park in Inverness is an example of a local play area.
- Strategic equipped play areas: 2,500 sq m, typically with at least a dozen types of equipment. Whin Park in Inverness is an example of a strategic play area.

General Characteristics

- Must comply with the general requirements set out in section 2.2
- The whole of the outdoor environment should be visually stimulating for both children and adults and offer opportunities for children to play in imaginative ways, close to home or in other greenspaces which can be accessed without crossing a major road.
- Amenity greenspaces in which children are likely to play should be unique and designed to offer a varied, interesting and physically challenging environment, accessible to everyone, which offers opportunities for running, jumping, climbing, balancing, building or creating, social interaction and sitting quietly.
- The design of amenity greenspaces that will be used for play should derive from and reinforce the character and levels of the site and incorporate any natural features there may be on it such as rock outcrops or water courses. This will also help to encourage and facilitate use by children of all ages.
- Amenity greenspaces that will be used by children for informal outdoor play should be designed generally to encourage them to explore their home environment and so incorporate hiding and “secret” places and links to nearby parts of the green network, especially woodland and other natural areas.
- Play provision should stimulate the senses of sight, sound, touch and smell and offer opportunities for children to manipulate materials. Accordingly play spaces should incorporate variations in level and a range of materials of different kinds, textures and colours, such as timber, sand, rocks, dead trees and other natural materials and incorporate trees, shrubs and grass. Examples of other materials or forms that can be used include old car tyres (eg for swings or tunnels); logs (eg for climbing and balancing); ropes (for ladders, swings and bridges); tunnels and mounds or hollows (for various forms of play); tarmac areas (for ball games or other games such as hopscotch); grass surfaces (for ball games and sitting); low walls (for skateboard manoeuvres, sitting on, balancing or jumping off); sand (for digging, building and sifting); shrubbery (for dens, places to hide or look for small animals and insects); rocks (for hiding and climbing); trees with low branches (for climbing or swinging); and bollards (for leapfrogging).
- Passive surveillance from the windows of nearby buildings is essential

- Equipped play areas must be located in a position that will not create disturbance for the occupants of nearby dwellings and separated from the nearest dwelling window by an appropriate buffer distance, dependant on the size and location of the play area, which is not less than 25 m.
- It must not be necessary for any child to cross a distributor road in order to gain access to a local play area
- All surfaces within play areas, and the access to them from nearby path systems, must be free draining so they do not become waterlogged or boggy after heavy rain

Planting and Biodiversity

- Good mix of “child-friendly” plant and tree species in the vicinity
- Generous use of planting to enhance amenity, create a sense of enclosure and different “rooms” within large greenspaces and support bio-diversity

Facilities and Features

- See Section 2.3 for amenity greenspaces
- The design of local and strategic equipped play areas will depend on the context within which they are set, but in addition to a wide range of high quality play equipment they should normally incorporate measures to ensure the proper control of dogs by their owners; an appropriate level of seating for parents or carers (including picnic tables); appropriate safety surfacing where required; litter bins of a type approved by the Council; appropriate signage; and path or other lighting to provide an illumination of at least 25 lux 1m above ground level.
- Equipped play areas must comply with the following European Standards:
 - EN1176, Playground equipment (1997, with additional recommendations in 1998 and 1999)
 - EN1177, Impact absorbing surfacing – safety requirements and test measures (1998)
 - EN14974, Facilities for users of roller sports equipment – safety requirements and test measures (2007)
 - EN15312, Free access and multi-sport equipment requirements, including safety and test measures (2007)

Vehicle Access and Parking

Not required, although there must be an adequate means of access for maintenance machines

2.5 Green Corridors

Definition

- Routes including (but not limited to) canals, watercourse corridors and disused railway lines, linking different areas within a town or city as part of a designated and managed network and used for walking, cycling or horse riding, or linking towns and

cities to their surrounding countryside or country parks. Green corridors should link different greenspaces or settlements.

Quantity Standard

- Not applicable: green corridors are provided in response to opportunities to create linear walking and cycling routes

Distance Threshold

- Not applicable

Minimum Size

- There is no minimum size, but corridors should generally be not less than 500 m (0.5 km) long

General Characteristics

- Must comply with the general requirements set out in section 2.2
- Clearly signposted accesses to the network of green corridors
- Welcoming and safe with no dense planting close to the path or cycle route
- Adequate litter and dog bins
- Safety and other markings as appropriate (note that if green corridors are adopted by the Council as Roads Authority, paths and signage will have to be to adoptable standard)
- No underpasses or blind corners

Accessibility

- Appropriate safety measures adjacent to or at crossings of rail lines or busy roads
- Good sightlines along the route so that users can see potential danger well ahead
- Freedom from exposed tree routes and other trip hazards

Planting and Biodiversity

- Good balance and variety of plants and shrubs, including flowering and non-flowering species
- Range of tree species and ages
- Range of habitat types
- Paths free from overhanging branches within reach of users
- Good range of habitats

Facilities and Features

- Clear signposting to places of interest or destinations (eg shops, leisure facilities, schools)
- Comfortable seating where appropriate
- Adequate street lighting

Vehicle Access and Parking

- Not required, although there must be an adequate means of access for maintenance machines

2.6 Natural Greenspaces

Definition

- Areas of undeveloped or previously developed land with residual natural habitats or which have been planted or colonised by vegetation and wildlife, including woodland and wetland areas

Quantity Standard

- 9 sq m per person

Distance Threshold

- 10 minutes walk (600 m straight-line distance)

Minimum Size

- 1,000 sq m (0.1 ha)

General Characteristics

- All spaces and facilities must comply with the general requirements set out in section 2.2
- Naturalistic appearance which incorporates a diverse range of habitats and supports wildlife
- Only limited internal areas of poor visibility
- Good use of views out of or across the site
- Good use of topography, space and planting

Accessibility

- Entrances or access points and internal paths linked to rights of way, other paths and cycling routes and water courses to create wildlife corridors and a network of greenspaces

Planting and Biodiversity

- Good mix of native species and habitats, depending on site characteristics
- Wildlife protection areas
- Clearings or gaps in tree crowns to allow light penetration to woodland floor, where appropriate
- Well developed ground layers and wide, species rich edge, where appropriate

Facilities and Features

- Clear and coherent signage to and throughout the site as appropriate
- Built heritage structures and natural features conserved
- Interpretation of flora and fauna as appropriate
- Adequate litter bins
- Comfortable seating where appropriate
- Signs requiring dogs to be kept under control in a manner appropriate to the habitats in and around the space

- Adequate safety measures adjacent to areas of water (will depend on size, depth and current, if any)
- "Way marked" routes, where appropriate

Vehicle Access and Parking

- Not required for small spaces of less than 0.5 ha, but adequate parking for other spaces either on-site or immediately adjacent.

2.7 Public Parks and Gardens

Definition

- Areas of land, normally enclosed, designed, constructed, managed and maintained as a public park or garden

Quantity Standard

- 8 sq m per person

Distance Threshold

- 15 minutes walk (900 m straight-line distance)

Minimum Size

- 0.5 hectare (5,000 sq m)

General Characteristics

- Must comply with the general requirements set out in section 2.2
- Well defined boundaries or perimeter, preferably enclosed with railings or walls
- A welcoming appearance at the entrance, with good views over an attractive parkland landscape and clearly identifiable points of interest to draw visitors in
- Range of natural and man-made structures or heritage features such as ponds, statues, buildings and ornamental railings
- Good use of topography so that slopes are gentle, views across and out of the space are attractive and visitors can get a sense of scale
- Reasonable privacy for the residents of nearby dwellings; ideally, houses should not back on to the park, but be on the other side of a road

Accessibility

- Clearly visible entrances, ideally signed on nearby roads and pedestrian or cycling routes
- Secure bicycle storage at the main entrance to the park, at least, and ideally secondary entrances as well
- Main entrance, and ideally secondary entrances, within 400m, at most, of the nearest bus stop (where available), but preferably 250m

Planting and Biodiversity

- Diverse species of flowering and non-flowering trees, of various ages, including native species; also shrubs and plants providing a wide range of habitats
- Hedgerows, where present, reasonably dense, thick and bushy so as to provide habitats
- Some areas of dense planting, difficult for people to penetrate and in areas where they will not provide hiding places, but providing habitats for small animals and birds
- Woodland areas to have clearings or gaps in crowns to allow light penetration to the woodland floor and development of undergrowth

Facilities and Features

- Provision for children and young people, where provided – see section 2.4
- Provision for teenagers, where present – see section 2.5
- Sports facilities, where present – see section 2.9
- Examples of public art, linked to the path network
- Bandstands, if present, well maintained
- Ornamental fountains, if present, in good working order and well maintained
- Kiosk or café facilities in larger parks, where commercially viable
- Good views through and across the park so that each visitor is providing a form of informal surveillance of other users
- Adequate lighting for appropriate paths
- Informative interpretation signs or other material relating to natural features, heritage features, wildlife, and landscaping
- Adequate signage giving directions both within the park and to nearby streets or features of interest outside it
- Signed jogging routes
- Not less than five bicycle parking spaces per hectare

Vehicle Access and Parking

- Not required for small local parks of less than 1 ha, although there must be an adequate means of access for maintenance machines
- Parks of over 1 ha should have an on-site car park

2.8 Outdoor Sports Facilities

Definition

- Large and generally flat areas of grass land or specially designed surfaces, used primarily for designated sports and including grass pitches for football, cricket, rugby and shinty; artificial turf pitches for football, hockey and rugby; bowling greens; and tennis and multi-sport courts

Note:

The Council will advise developers of its specific requirements for outdoor sports facilities in the course of or following pre-application discussions

Quantity Standard

- 12 sq m per person

Distance Threshold

- 15 minutes walk (900 m straight-line distance)

Minimum Size

- See below for different facilities

General Characteristics

- Must comply with the general requirements set out in section 2.2
 - All hard surfaced areas should incorporate a SUDS
-

Grass Pitches**Minimum Size**

- Two pitches with changing accommodation and parking in the main settlements as defined in Appendix 6 of the Highland-wide Local Development Plan; one pitch with changing and parking in all other areas

General Characteristics

- External lighting in car parking areas
- External lighting on pavilions with PIR detectors
- Dog bins plus signs indicating that dogs must be kept on a lead and any fouling picked up and disposed of responsibly
- Adequately separated from adjoining residential properties
- Adequate measures in place to control light spill from floodlighting to adjoining properties and related land

Accessibility

- Accessible by public transport: nearest bus stop within 400 m of entrance/access points, but preferably 250 m
- Wide access routes with clear sight lines at site entrance/egress
- Hard surfaced paths following desire lines from parking to pavilions
- Paths and buildings fully accessible by wheelchair where appropriate
- Path system appropriate to the circulation needs of players within the site, with wide, hard surfaces in heavily trafficked areas (to avoid constant muddy areas)

Planting and Biodiversity

- Strong structure planting around the perimeter of the site using native species (designed as buffer planting to reduce wind on pitches and noise or light spill)

as appropriate to the site and adjoining properties or roads and also to promote biodiversity)

- Internal structure planting where appropriate
- Amenity or naturalistic landscaping in the vicinity of buildings and car parking

Facilities and Features

- Changing pavilions
- Changing rooms (with the number of rooms appropriate to the number of pitches or other facilities on site) consisting of changing spaces, showers and drying area, plus separate changing for match officials where appropriate
- Capable of simultaneous male and female team and/or officials' use, where appropriate
- First aid room (essential only for pitch sports and athletics)
- Space for refreshments with kitchen
- No rooflights in flat roofs on single storey buildings
- Adequate secure maintenance equipment storage
- Lockable security shutters on all pavilion doors and windows
- Rapid response heating system and adequate mechanical ventilation to prevent serious condensation problems
- Passive surveillance from nearby properties
- Pitches, practice areas and other facilities
- Correct orientation (pitches generally between 35 degrees west and 20 degrees east of N-S; athletics tracks generally oriented so the finishing straight is not in line with the prevailing south-westerly wind)
- Playing facilities meeting relevant governing body requirements in terms of length, width, even-ness of surface, boundary distances (cricket) and side clearances or safety margins
- Floodlighting with suitable controls to prevent unauthorised use to relevant governing body requirements for the standard of play and designed to minimise light spill to nearby properties
- No end to end slope on pitches greater than 1:40 (1:80 preferable); no side to side slope greater than 1:40 (1:60 preferable)
- No pitch more than 200 m from the nearest changing pavilion
- Well drained pitch surfaces
- Winter sports grass pitches to have pipe drains plus sand slits where necessary (sand slits should be renewed every 10 years)
- Artificial surfaces to comply with relevant governing body requirements and BS 7044: Artificial Sports Surfaces
- All artificial surfaces (and any safety surround areas) to be fully enclosed within lockable chain link fence at least 3.0 m high
- Ball stop netting as necessary to protect surrounding area

Technical Specification

- Grass pitches should conform to the specification set out in the last Appendix to Levelling the Playing Field (available at www.sportengland.org).

Vehicle and Cycle Parking

- On-site parking for not fewer than 15 cars per pitch for football and cricket pitches; and not less than 20 cars per pitch for rugby pitches plus one space for every 15 spectator seats in stands
- Not fewer than 5 cycle parking spaces per pitch
- Access to all grassed areas for maintenance machinery

Artificial Turf Pitches

Definition

- Floodlit artificial turf pitches for football, hockey and rugby/rugby training

Minimum Size

- 1 pitch with changing accommodation and parking in regional and sub-regional centres; not less than 60 x 40 m with changing in other areas

General Characteristics

- As for grass sports pitches

Accessibility

- As for grass sports pitches, plus:
 - Hard surfaced path between changing pavilion and entrance(s) to artificial turf pitch(es)

Planting and Biodiversity

- As for grass sports pitches, plus:
 - No tree in any position which will result in leaf drop onto the pitch

Facilities and Features

- Changing pavilions
- As for grass sports pitches
- Pitches, practice areas and other facilities
- As for grass sports pitches, plus:
 - Artificial surfaces to comply with relevant governing body requirements and BS 7044: Artificial Sports Surfaces
 - All artificial turf pitches (and any safety surround areas) to be fully enclosed within lockable weldmesh or other see-through fence capable of withstanding ball impacts at least 3 m high along the sides of the pitch and 5 m high at the ends of the pitch

- Artificial turf pitches for football to comply with the International Artificial Turf Standard published by the Fédération Internationale de Football Association; for rugby to conform with the International Rugby Board Regulation 22, IRB Performance Specification for Artificial Surfaces for Rugby; and for hockey to conform to the Handbook of Performance Requirements for Synthetic Hockey Pitches published by the International Hockey Federation.
- Floodlighting to provide a maintained illumination of not less than 350 lux with a uniformity ratio of 0.7. However, it will be desirable to have the ability to reduce the illumination level to 200 lux for training.

Vehicle Access and Parking

- On-site parking for not less than 40 cars per pitch for players plus one space for every 15 spectator seats in stands
- Access to the pitch and surrounding areas for maintenance machinery

Bowling Greens

Definition

- Lawn bowls green meeting appropriate governing body standards

Minimum Size

- Greens with a grass playing surface: 6 rinks plus banks and ditches, a pathway at least 2 m wide all round the green and a pavilion. This requires a site of not less than approximately 41 x 45 m, ie approximately 1,845 sq m (0.19 hectare).
- Greens with an artificial playing surface: 3 rinks plus banks and ditches, a pathway at least 2 m wide all round the green and a pavilion. This requires a site of not less than approximately 41 x 30 m, ie approximately 1,230 sq m (0.12 hectare).

General Characteristics

- Green, banks and ditches meeting relevant governing body standards
- No broad-leaved trees overhanging the green
- Freedom from over-shadowing

Accessibility

- Accessible by public transport, where available: nearest bus stop within 400 m of entrance/access points, but preferably 250 m
- Hard surfaced path all round the green

Planting and Biodiversity

- Shelter planting/screening to provide summer time shelter from wind, privacy for bowlers and support biodiversity

Facilities and Features

- Changing pavilion with at least male and female changing rooms and social area
 - Rabbit proof fencing
 - Vehicle Access and Parking
 - On-site or nearby off-site parking for not less than 15 cars per green
-

Tennis and Multi-Courts**Definition**

- Tennis courts and multi-use games areas, usually with a hard or synthetic surface, and used for tennis, 5-a-side football, netball, outdoor basketball and roller/in-line skating.

Minimum size

- 36.5 x 18.25 m (court only) plus surround

General Characteristics

- Reasonably sheltered from the wind
- A free-draining or impervious surface laid to appropriate falls to shed water
- Surrounded by netting which prevents balls escaping from the court(s) area
- Oriented within 30 degrees of north-south

Accessibility

- Accessible by public transport where available: nearest bus stop within 400 m of entrance/access points, but preferably 250 m

Planting and Biodiversity

- Amenity planting composed mainly of native species to improve appearance, provide shelter, reduce noise transfer and promote biodiversity

Facilities and Features

- Posts and tennis nets in good condition, without large holes through which the ball can pass
- Clearly marked courts with adequate safety surrounds
- Basketball hoops and football goals, if present, securely fixed with no sharp edges
- Floodlighting (if present) to meet governing body requirements
- Space for not less than 3 bicycles per court

Vehicle Access and Parking

- On-site parking for not less than 2 cars per tennis court
- On-site parking for 3 cars per floodlit multi-court; no parking required for non-floodlit courts

2.9 Allotments

Definition

- Land laid out and managed as allotments

Quantity Standard

- 1 sq m per person

Distance Threshold

- 15 minutes walk (900 m straight-line distance)

Minimum Size

- 10 plots of at least 5 rods each (5 rods = approximately 127 sqm). With an allowance for the common areas of the site, this results in a minimum acceptable size of around 1,500sqm

General Characteristics

- All spaces and facilities must comply with the general requirements set out in section 2.2
- Screen planting to provide some privacy while also allowing views into and out of the site
- Clear separation between adjacent allotments
- Signage at site entrances giving details of ownership and how to apply for an allotment; also emergency telephone numbers
- Securely fenced with lockable gates

Accessibility

- Site entrance not more than 400 m from nearest bus stop (where available) and preferably not more than 250 m

Planting and Biodiversity

- Good mix of species or dense, bushy hedgerows around the perimeter of the site

Facilities and features

- Water point serving each group of allotments
- Communal composting facilities
- Composting toilets on all sites with more than 20 plots
- Communal storage on all sites with fewer than 20 plots

Vehicle Access and Parking

- On-site parking for not less than 1 car per 10 allotments, with a minimum of 2 spaces.

3 Technical Appendix

Pàipear-taice Teicnigeach

3.1 The Policy Background

The Policy Background

The policy background underpinning this SG is contained in the Highland-wide Local Development Plan and includes, Policy 74 – Green Networks, Policy 75 – Open Space and Policy 76 – Playing Fields and Sports Pitches as well as SPP and PAN 65, Planning and Open Space.

The Definition of Open Space

In its Highland-wide Development Plan, the Council will use the typology of open space, sport and recreation provision set out in PAN 65, Planning and Open Space (Scottish Government, 2008):

- Allotments
- Amenity greenspaces
- Green corridors
- Natural and semi-natural greenspaces
- Other functional greenspaces
- Outdoor sports areas such as (but not exclusively) cricket, football, and rugby pitches, recreation grounds, artificial turf pitches, tennis courts and bowling greens
- Playspace for children and teenagers
- Public parks and gardens

Note:

The PAN 65 typology also includes civic spaces, but they are not covered by this Guidance as they are provided as part of urban design proposals and not in response to provision standards. When the audit of open space is carried out Civic Spaces will be audited for quality and accessibility but not in terms of quantity.

The Council's Planning Objectives

The Council's planning objectives in relation to open space, sport and recreation provision are:

- To promote local distinctiveness
- To offer local people opportunities to interact with their neighbours and arrange and take part in social and community events in the open air in the vicinity of their homes
- To promote responsible behaviour and community pride in local environments
- To offer opportunities to children to play, explore and see nature at work
- To provide habitats for wildlife and support the biodiversity on which human life depends
- To help to counter the impacts of climate change by providing carbon sinks and shelter from wind, rain and sun
- To support sustainability and flood management

- To provide opportunities for physical activities from gentle strolling to active sport and encourage people
- To promote walking and cycling rather than driving for short journeys
- To support well-being and mental health
- To offer opportunities for individuals to grow produce on allotments
- To support and enhance land values and therefore help to promote economic development and attract investment

The Council's Objectives for this SG

Through this SG, the Council seeks:

- To ensure that open space in or related to new developments will be well located, well designed, fit for purpose, sustainable and adequately managed and maintained
- To promote health and well-being
- To support biodiversity and nature conservation
- To support the production and implementation of its greenspace strategy
- To support implementation of Play Matters 2012 – 2015 For Highland's Children Play Strategy
- To promote the efficient, transparent and consistent application of its provision standards to proposed new residential developments
- To minimise the time needed to negotiate planning agreements with developers by setting out how it will calculate and use developers' contributions
- To facilitate and enable desirable developments for which the Council might otherwise have to refuse planning permission as a result of their impact on local green infrastructure

3.2 Provision Standards

This section summarises how the Council has developed its provision standards. Through this Guidance the Council has taken the opportunity to provide evidence based provision standards that take account of the results of the Highland Greenspace Audit 2010, the recommendations in PAN 65 and the requirements of SPP.

The Council has also provided qualitative and accessibility components. The Council has also adopted minimum acceptable size standards in order to provide a policy-based way of determining whether provision should be on-site or off-site. There are no accessibility, quantity or minimum size standards for green corridors, which are generally provided in response to opportunities to do so rather than as a result of the application of provision standards. The Council will identify any need there may be for them in the context of specific development proposals.

Provision Standards

The average number of occupants in each dwelling in the areas covered by each of the emerging area Local Development Plans is:

Area Local Development Plan	Occupants/dwelling
Inner Moray Firth	2.33
Caithness and Sutherland	2.24
West Highland and Islands	2.31
Average	2.29

Note:

The Council has calculated these occupancy levels using census details for each area Local Development Plan area coupled with information on the number of occupied dwellings in each area from Council tax records.

Based on the average occupancy of 2.29 people per dwelling in the Highland area, 92 sq m per dwelling equates to approximately 40 sq m per person. The Council has defined the quantity standard of 40 sq m per person in terms of the PAN 65 typology as follows:

- Amenity greenspace 8 sq m/person
- Equipped play/teenage areas 2 sq m/person
- Natural greenspace 9 sq m/person
- Public parks and gardens 8 sq m/person
- Sports areas 12 sq m/person
- Allotments 1 sq m/person
- Total 40 sq m/person

The derivation of these standards is as follows:

- **Amenity greenspace:** this is based upon the standard of 4.3 sq m per person from the Highland Green Space Audit but augmented to include Local Areas for Play (which are often little more than amenity greenspaces) = approximately 8 sq m per person.
- **Equipped Play Areas:** this is based upon the standard of 2 sq m per person from the Highland Green Space Audit. This also takes into consideration an assumption that it will be appropriate for Inverness to have approximately 6 strategic play areas at 2,500 sq m each, plus 20 local play areas at around 1500 sq m each, giving a total area of 45,000 sq m for a population of 66,000. This equates to around 0.67 sq m per person. Allowing for a suitable buffer area around each facility takes the total area up to around 2 sq m per person.

- **Natural greenspace:** this is the level of provision of natural greenspace in Inverness (8.4 sq m per person), rounded up to the nearest whole number in response to the need to enhance biodiversity. It is considered that following the scale of provision available elsewhere in Highland would be inappropriate as at present this represents 162.7 sq m per person which would be disproportionate to the scale of most developments.
- **Public parks and gardens:** 8 sq m per person is the level of provision identified in the Inverness section of the audit where demand for public parks and gardens is at it's highest. It is unlikely that there would be a development large enough elsewhere in Highland which would require the current level of provision of 11.5 sq m per person in the Highland Greenspace Audit to be met.
- **Sports areas:** this is based upon the level of sports facility provision in the Highland Greenspace Audit of 12 sq m per person (this excludes joint use school facilities as they are not always accessible to the public)
- **Allotments:** no current standard but as the demand for allotment gardening is rising there is a need to adopt a standard

Quantity Standards

Interpretation of the Quantity Standards

This disaggregation of the overall quantity standard of 40 sq m per person is a guide and not an absolute requirement, which the Council will interpret flexibly in the light of local circumstances. In particular it will not assume that there is automatically a surplus if there is more of a particular type of provision than required by the application of the standard. There are various reasons for this, not least because quantity is an inadequate measure of the adequacy of open space provision in an area; accessibility and quality are every bit as important and greenspace can serve a wide range of functions.

However, the disaggregation of the quantity standard makes it possible to identify different quantity standards for the more and less developed areas of the area served by the Council. Specifically, in most small settlements there will be no need for parks or gardens and, in some, no need for natural greenspaces if local residents have access to countryside areas unless there is connectivity of the proposed development site and a Natura site with potential for recreational disturbance. In these cases open space provision may be required to help demonstrate that the proposal will safeguard, promote responsible access, interpretation and effective management or enhancement of Natural, Built and Cultural Heritage features.

Structural landscaping may be counted as contributing to the overall quantity of open space provision in a development if it is designed to be used regularly and accessible to everyone.

Sustainable Urban Drainage Schemes

Basins, ponds, wetlands and bioretention areas forming part of sustainable urban drainage schemes (SUDS) may be counted as helping to meet the Council's overall quantity standard of 40 sq m per person. However, if their aggregate area will exceed one third of the open space requirement they may not be counted as making up than one third of it. Underground components of SUDS may not be counted as part of the greenspace provision

Quality Standards

The Council has derived the quality and minimum size standards from its experience of maintaining spaces and a range of best practice guidance, including those listed in Appendix A.

Accessibility Standards

In order to make its accessibility standards easy to use, the Council expresses them as straight-line (ie "as the crow flies") distances from the centre of residential sites. They are based on walking times derived from surveys in various parts of the country and advice in various official publications, including those listed in Appendix A.

Minimum Acceptable Size Standards

If new open spaces and sports facilities are to be fit for purpose they must be large enough to meet users' needs and cost effective to maintain. For some sports facilities, these sizes are obviously standard although a number of sports, such as football, allow some variation in pitch sizes. It is more difficult to set out a minimum acceptable size for other forms of provision such as parks or amenity greenspaces. The Council has agreed on minimum sizes for all forms of provision other than green corridors, based primarily on its experience of how spaces are used and its experience of maintaining spaces of different sizes.

Implications for Developers

The definition of the quantity standard in this Guidance will benefit developers because of the certainty it provides with regard to open space provision. The Council expects developers to design and lay out spaces and facilities to a higher standard than in the past. The changes will also help both developers and the Council achieve higher densities in residential areas.

3.3 Assessing Needs

The Council will take a three stage approach to assessing the need for and most appropriate locations for additional or enhanced provision as a result of a proposed new development:

- **Step 1:** apply the quantity standards to determine the maximum amount of provision that might be required to meet the needs generated by the development
- **Step 2:** review the context within which the development will be set in order to determine the most appropriate form(s) and location(s) of provision required to serve the residents of the new development
- **Step 3:** negotiate the most appropriate on-site provision, or contributions to off-site provision, with the developer

Step 1: Determine Maximum Requirements

The Council's Open Space Requirements Calculator allows the calculation of the maximum requirements quickly and easily. The Council has made it available online (<http://www.highland.gov.uk/planning>) for developers to use. This entails entering two items of information:

- The number of dwellings proposed of each of the different types given in Section 1.2
- The number of dwellings that will be demolished to make way for the proposed development, if any

The Calculator:

- Calculates the net change in the on-site population
- Determines the types of provision that might be required to serve the residents of the new development
- Calculates the maximum amount of provision that might be required to meet the needs generated by the development, using the quantity standards in Section 2
- Determines whether it will be acceptable for that provision to be on-site, using the minimum acceptable size standards in Section 2

For most developments the Calculator will assess the Council's maximum requirements. It will not assess the possible need for compensatory provision if a development involves the loss of an existing space or facility. Accordingly the results of using the Calculator can be only a guide to the Council's possible requirements.

The spreadsheet in Appendix B demonstrates how the Calculator assesses the maximum requirement for a development of 20 dwellings on the site of two open market large detached houses in the Inverness area, both of which will be demolished. The 20 new dwellings will consist of 10 open market dwellings, 5 affordable units, 4 sheltered dwellings and 1 special needs dwelling. The Calculator assesses potential contributions to both new

and enhanced off-site provision, but normally only one of these will be appropriate and so they should not be aggregated.

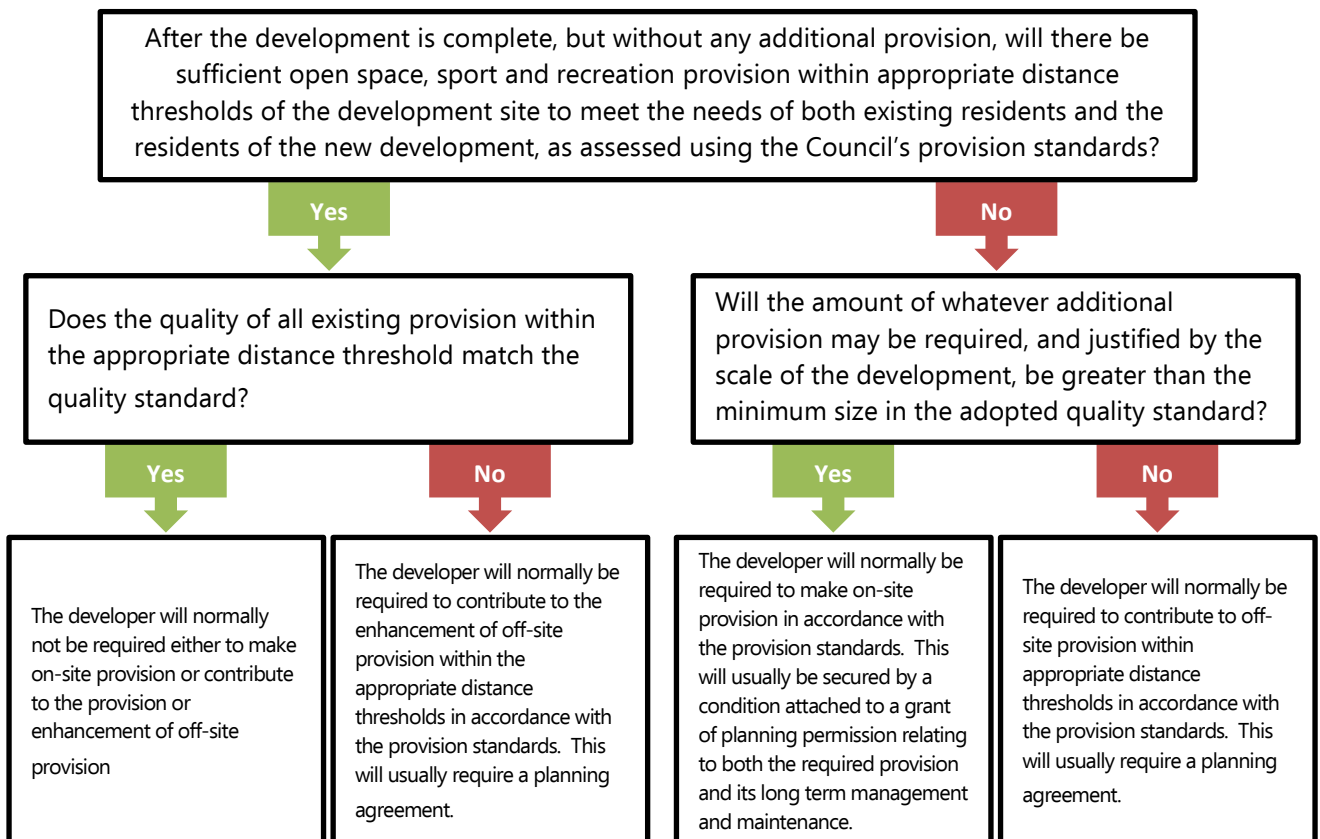
If the proposed development site includes existing temporary or permanent dwellings, the Council will include them in the calculation only if they have been occupied on a permanent basis in the year before the date of receipt of the planning application.

Step 2: Review the Context

If there is a quantitative surplus of one or more forms of provision within the distance threshold there may not be a need for any more of that type of provision, although some or all of the existing provision may be of poor quality and therefore require enhancement. Accordingly the second step is to review the context within which the development is set to determine whether the developer should provide or fund any new or enhanced provision and the possible need for compensatory or replacement provision for any spaces or facilities that may be lost. For example, the development of dwellings on a playing field will result in the loss of that playing field and may result in a need for a replacement facility at another location.

The “line of thinking” below sets out how the Council will determine its requirements for additional or enhanced open space, sport and recreation provision as part of or linked to new residential developments. The same line of thinking must be applied separately to each form of provision.

Line of Thinking for Development Management Purposes



Step 3: Negotiate with the Developer

Finally, the Council will seek to negotiate the most appropriate amount, location and types of provision. It will use the amounts of provision calculated using the Open Space Requirements Calculator as a guide, but its primary concern will be to achieve well located, attractive and sustainable provision rather than necessarily the amount of provision justified by the application of its quantity standards.

Appendix A: References

National Policy

Scottish Government (2009), Scottish Planning Policy
 Scottish Government (2008), PAN 65, Planning and Open Space
 Scottish Government (2010), Circular 1/2010, Planning Agreements
 Scottish Government (1998), Circular 4/1998, The Use of Conditions in Planning Permissions

Quality Standards

Anthea Holme and Peter Massie (1970), Children's Play: A Study of Needs and Opportunities
 Association of Chief Police Officers (2009), Secure by Design: New Homes
 CABE (2000), By Design: Urban Design in the Planning System: Towards Better Practice
 CABE (undated), Creating Successful Neighbourhoods
 CABE Space (2005), Start with the Park
 CABE Space (undated), What Would You Do With This Space?
 Children's Play Council (2002), More Than Swings and Roundabouts: Planning for Outdoor Play
 Department for Transport (undated), Inclusive Mobility
 Fieldfare Trust (1997), Countryside Access for All Accessibility Standards
 Geraint John and Kit Campbell (1995), Handbook of Sports and Recreation Building Design
 Kit Campbell Associates (200), Guide to Sports Pitch Strategies
 Kit Campbell Associates with System Three (1993), Synthetic Grass Pitches Use in Scotland (Scottish Sports Council Research Report 34)
 Office of the Deputy Prime Minister (undated). How to Create Quality Parks and Open Spaces
 Play England (2008), Design for Play: A guide to creating successful play spaces
 Playlink (2004), Places for Play
 Fields in Trust (formerly the National Playing Fields Association) (2008), Planning and Design for Outdoor Sport and Play (formerly the Six Acre Standard)
 Civic Trust (undated) The Green Flag Award Scheme Manual
 University of Sheffield (2002), Improving Urban Parks, Play Areas and Open Space

Distance Thresholds

CABE (2001), By Design: Better Places to Live
 C Harrison, J Burgess, A Millward and G Dawe (1995), Accessible Natural Greenspace in Towns and Cities: A review of appropriate size and distance criteria (English Nature Research Report 153)
 Centre for Urban and Regional Ecology, University of Manchester (2002), Providing Accessible Natural Greenspace in Towns and Cities: A Practical Guide to Assessing the Resource and Implementing Local Standards of Provision (published by English Nature)
 English Nature (undated) Accessible Natural Greenspace Standard
 Department of the Environment and Department for Transport (1995), PPG13: Transport – A Guide to Better Practice

Appendix B: Open Space Requirements Calculator

Open Space Requirements Calculator

This version is appropriate for financial year **2012 – 13**

To use the calculator, complete the blue cells
Green cells give the results

The Calculator

- Calculates the net change in the on-site population as a result of the proposed development
- Applies the provision standard to assess the quantity of different forms of provision required by the net population change
- Compares this with the Council's minimum acceptable sizes for new provision
- Calculates potential contributions to the cost of the new or enhanced off-site provision required by the proposed development
- Calculates potential commuted establishment sums for offsite provision

Step 1: Enter "1" opposite the appropriate Area

		Average occupancy
Badenoch and Strathspey	1	2.29
Caithness		
Inverness		
Nairn		
Ross and Cromarty		
Sutherland		
West Highlands and Islands		
Wester Ross		

Step 2: Enter details of proposed development

Dwelling type	Open market	Affordable	Sheltered	Hostels & special needs
New dwellings proposed	10	5	4	1
Existing dwellings to be demolished	2	0	0	0
Net change in number of dwellings	8	5	4	1
Average occupancy	2.29	2.29	2.29	2.29
Net change in on-site residents	18.32	11.45	9.16	2.29

Provision Required

Amount of Provision Required	Quantity Standard (sq m per person)	Open market	Affordable	Sheltered	Hostels and special needs
Amenity greenspace	8.00	146.56	91.6	73.28	18.32
Equipped play areas	2.00	36.64	22.9	0	4.58
Natural greenspace	9.00	164.88	103.05	82.44	20.61
Outdoor sports facilities	12.00	219.84	137.4	0	27.48
Parks and gardens	8.00	146.56	91.6	73.28	18.32
Other functional greenspaces	1.00	18.32	11.45	9.16	2.29
Totals	40.00	732.80	458.00	238.16	91.60

Amount of Provision Required (sq m)	Totals from "Amount of Provision Required"	Minimum acceptable size	Equal to or above minimum size and therefore acceptable on-site?	On-site provision required	Off-site provision required
Amenity greenspace	329.76	500	No		330
Equipped play areas	64.12	1,500	No		64
Natural greenspace	370.98	1,000	No		371
Outdoor sports facilities	384.72	Depends on type			
Parks and gardens	329.76	5,000	No		330
Other functional greenspaces	41.22	1,000	No		41
Totals	1600.56			0	1136