BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

9 MARCH 2022

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

OUTDOOR RECREATION FACILITIES AND NEW HOUSING DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE

1. Purpose of report

1.1 The purpose of this report is to seek Members approval to adopt SPG5 - Outdoor Recreation Facilities and New Housing Developments as Supplementary Planning Guidance (SPG) to the Bridgend Local Development Plan (LDP).

2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

- **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

3.1 Recreational spaces are vital for our health, well-being and amenity and contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and relaxation often in the presence of nature. They contribute to our quality of life and are a key ingredient of 'place making'.

3.2 Networks of high quality, accessible, green spaces and recreation spaces also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Bridgend and Wales.

3.3 The development of new housing in the County Borough, and the resulting population increase, creates a demand for the improvement of existing and provision of new recreational facilities.

3.4 To meet this demand, Policy COM11 of the LDP requires the provision of a satisfactory level and standard of outdoor sport, children's playing space, allotments and public open space (including natural green space) for all new housing developments. This SPG supplements Policy COM11 and provides advice to developers on how the standards required by the policy can be met.

3.5 In summary the SPG sets out:

- The national and local Planning Policy context to outdoor recreational provision;
- The Council's policy and practice relating to recreational spaces;
- Guidance notes explaining the circumstances, mechanisms, types and amount of recreational space that will be sought on residential developments;
- Explanation of the circumstances where financial contributions towards recreational facilities may be sought;
- Encouragement for developers and prospective applicants to engage the Planning Department in pre-application discussions; and
- Guidance on how the policy will be administered.

4. Current situation/proposal

4.1 On the 16th January 2020 the Development Control Committee approved a draft version of the SPG as the basis for public consultation; authorised officers to make appropriate arrangements for public consultation; and agreed to await a further report on the outcome of the consultation process.

4.2 A 6-week period of public consultation was held between 21st February and 3rd April 2020. The consultation was advertised in the following ways:

- Statutory notices were placed in the *Glamorgan GEM* on the 27th February and the 5th March;
- The consultation documents were made available for inspection with representation forms at the reception desk of the Civic Offices, Angel Street;
- Information on the consultation, including all the documentation, representation forms and how to make representations was placed on the Council's website; and
- A copy of the draft SPG was sent to approximately 300 targeted consultees including Community Councils, planning consultants, house builders and housing associations taken from the LDP database.

4.3 By the end of the consultation period nine representations were received on the draft SPG. These representations have been summarised in **Appendix 1** to this report. Copies of the full representations are held by the Planning Department, and can be viewed by Members on request.

4.4 On 3rd March 2022, the Development Control Committee considered all of the representations and agreed changes to be made to the document in light of the

comments received. These are now incorporated as amendments to the SPG attached at **Appendix 2.** In summary, the main areas of change in the document arising from the public consultation responses are as follows:

- Amended average household occupancy rates based on 2011 Census data with rates to be kept under review to inform future revisions of the SPG;
- Clarification of the relationship between Outdoor Recreation Facilities and Sustainable Drainage Systems (SuDS) and emphasis on the importance of pre-application discussions;
- Confirmation that financial contributions in-lieu of on-site facilities should be of the equivalent value of providing the required facilities on-site; and
- Additional section on Section 106 Agreements, Negotiations with Developers and Viability to ensure consistency with the Education SPG and to provide greater clarity as to how the SPG will be implemented.

5. Effect upon policy framework and procedure rules

5.1 The SPG expands upon the existing land-use planning policy framework contained within the LDP, giving the public and developers certainty in the Council's expectations in relation to achieving an appropriate level of Outdoor Recreation Facilities which will serve new residential development.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. The SPG is supplementary guidance to the existing LDP which was subject to an Equalities Impact Assessment. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of this report. Specifically, adoption of the SPG will provide a mechanism for the Council to secure appropriate levels of open space and recreation facilities in all new housing developments. This will increase opportunities for all individuals within the County Borough to lead active and healthy lives, supporting the principle of sustainability over the long term.

8. Financial implications

8.1 The adoption of SPG 5 will not have any financial implications for the Council as financial contributions secured from developers will cover the costs of any required works associated with the provision of outdoor recreational facilities.

9. Recommendation(s)

9.1 Council is recommended to:

9.1.1 Adopt SPG 5 – Outdoor Recreation Facilities and New Housing Development (**Appendix 2**) as Supplementary Planning Guidance to the adopted Bridgend Local Development Plan.

9.1.2 Authorise the Group Manager Planning and Development Services to make minor presentational amendments prior to publishing the SPG on the Council's website.

Janine Nightingale
CORPORATE DIRECTOR COMMUNITIES
9 March 2022

Contact officer: Gareth Denning
Strategic Planning Team Leader

Telephone: (01656) 643193

Email: Gareth.denning@bridgend.gov.uk

Postal address: Development Planning
Communities Directorate
Civic Offices, Angel Street
Bridgend
CF31 4WB

Background documents: None

Appendices: Appendix 1 – Outdoor Recreation Facilities and New Housing Development SPG Consultation Responses

Appendix 2 – Outdoor Recreation Facilities and New Housing Development SPG

APPENDIX 1

Outdoor Recreation Facilities and New Housing Development SPG Consultation Responses

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Coal Authority			I have reviewed the Supplementary Planning Guidance documents, the subject of this consultation, and can confirm that the Coal Authority has no specific comments to make.	Comments noted.	No action required.
Natural Resources Wales			NRW generally endorse plans to promote recreational facilities, specifically 'accessible natural greenspace'. Opportunities to improve connectivity between green spaces and enhance biodiversity should be optimised. The policies and outcomes in the draft National Development Framework should be taken into consideration when preparing the SPG.	The consultees comments are noted. The draft SPG will be amended to refer to the policy aims and outcomes of the National Development Framework - Future Wales 2040.	Add a reference to the National Development Framework - Future Wales: the National Plan 2040 (Feb 2021) at Section 3.
Meryl Catherine Wilkins			This consultation document cannot predict the future of any planning as the pandemic Coronavirus has taken over and the outcome is unsure of any planning in Wales. As a very worried resident of Bridgend and Wales my declarations of interest has been made by me Meryl Catherine Wilkins in the land that your planning policies, put forward by the Bridgend County Borough Council and planning department are now being put forward to be developed and I do not agree. Policies are now out of date that Bridgend County Borough Council Planning Department and the Bridgend County Borough Council have put forward for consultation to me as a consultee of the SPG Draft Supplementary Planning Guidance and the consultation documents are fundamentally flawed because of the crisis we find ourselves in, we have no control of.	The consultees comments are noted. The draft SPG intends to provide additional guidance to the policies contained within the existing Local Development Plan (LDP). Until the SPG is adopted the Council is in a position where it is unable to seek the level of contributions required to help fund the cost of outdoor recreation facilities. Any deficit in funding will have to be found by the Council at a time when financial budgets are limited. The new SPG is vitally important to enable the County Borough to recover from the financial impact of the Coronavirus pandemic.	No action required.
Glamorgan Gwent Archaeological Trust			We are commenting as the advisors to your authority regarding the historic environment and archaeology. Within the draft SPG, we note the aspects of new housing development and recreation provision requirements. It is important to note that these aspects may also be significant for archaeological and historic environment reasons. It is also important to note that within your Authority's area, ten areas have been delineated as Archaeologically Sensitive Areas in an Archaeology and Archaeologically Sensitive Areas SPG which has been supplied to you in draft in 2015 and is awaiting approval.	The consultee's comments are noted. The draft SPG encourages all prospective applicants to engage the Planning Department in pre-application discussions with regards to new housing developments. This will enable the Council to identify, at an early stage, development that may have an impact on the historic environment. In such cases, advice will be sought from the consultee as the Authority's Archaeological Advisors.	No action required.

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			As for any type of development, the legislative framework and policy context that has relevance to the historic environment should be taken into consideration. Planning Policy Wales Edition 10, in Chapter Six; and TAN 24: The Historic Environment, refer to designated and non-designated assets and their management in development. The Welsh Government suite of best practice Guidance available via Cadw has information on managing change within differing aspects of the historic environment. The legislative framework in which the historic environment operates, and the management of the historic environment, should not be seen as any constraint to development, but viewed together with the Well-being of Future Generations (Wales) Act, contribute substantially to the well-being goals relating to culture and community, and by understanding and enhancement to the remaining goals. Residential developments, including provision for recreation and open space, of any size and nature, may have different impacts on the historic environment, both positive and negative impacts, and this should be noted as a consideration. The scale of impact that may require mitigation varies between developments and can be a high impact within a smaller site. Early-stage consultation will ensure that mitigation can be undertaken taking timescale into consideration. It is also important to be aware that early-stage consultation and identification of archaeological features allows the potential to design some areas as open space or low impact areas. Any development may have a physical impact on any buried archaeological resource, or on the setting of both designated and non-designated sites or areas, potentially with a need for historic environment or archaeological mitigation. Conversion of buildings to accommodation may also require mitigation by historic building recording, or archaeological fieldwork depending on the archaeological resource. Developments will require planning and or listed building permission, and consultation with ourselves at early stage, or for pre-application advice, as your Authority's archaeological advisors, is strongly advised; we can then supply any appropriate recommendations for mitigation. As noted, development sites of any size may require archaeological mitigation work both pre and post determination to ensure that development complies with		

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			Planning Policy Wales Edition 10 December 2018, Chapter 6: Distinctive and Natural Places, and the TAN24: The Historic Environment. The impact on designated historic assets and their setting is dealt with by Cadw, who must be consulted if any development is proposed that may impact Scheduled Monuments, or Registered Historic Landscapes. These responses are necessary to enable the management of impacts on the archaeological resource and cultural heritage. If archaeological mitigation work proves necessary, it is our Policy to recommend that all archaeological work undertaken in relation to planning and development issues should be undertaken to the Standards and Guidance of the Chartered Institute for Archaeologists and it is our Policy to recommend that either a Registered Organisation with the CIfA or a member with MCIfA level membership should undertake the work (www.archaeologists.net/codes/cifa and www.archaeologists.net/ro).		
Bridgend Town Council	4.8	8	Allotments We believe last Borough wide review was around 2010 as to plots available as a percentage by population by ward. Has a recent survey been made to update where more provision is needed? Can this be made known?	The most recent 'Audit' of Allotment provision in the County Borough was carried out in 2017. The Audit compares the provision of Allotments with the benchmark standard of 0.2 hectares per 1,000 population as per the requirement of Policy COM11 in the LDP. The Audit was reported to members of the Development Control Committee and can be used to support planning decisions as a means of justifying the provision of new facilities and/or remedying local deficiencies in provision. The Allotment Audit is available to view on the Development Planning pages of the BCBC website.	No action required
Bridgend Town Council	Appendix 2	24	Reference planting, litter bins, notices. Do all existing play areas have the planting specification outlined in the document? If not, can this now be put in hand? All play areas – of whatever size – must have adequate litter bins. Notices – Do all existing play areas have the designated signage as outlined in the document? This is essential at all sites and should be put in place without delay.	The scope of the draft SPG covers the provision of **new** play areas on housing developments. As such the requirements specified in Appendix 2 represent general guidelines as to the level of facilities different types of Children's Play Space should provide. The draft SPG facilitates the negotiation of financial contributions in exceptional circumstances where the provision of facilities on-site is not required or is not possible due to site specific circumstances. In such cases, the contributions secured could be used to upgrade existing facilities. This could include the	No action required

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
				provision of any of the items listed in the Appendices including planting, litter bins and enhanced signage.	
Boyer on behalf of Llanmoor Homes			This draft SPG explains in detail the Council's approach to the provision of outdoor sport, children's play space, allotments and public open space (including natural green space) for all new housing developments and encourages links between the provision of open spaces and its contribution to green infrastructure in Bridgend. Llanmoor Homes are currently in the process or working up a master plan for the strategic site at the land at West Bridgend and have concerns that some of the express guidance in the draft SPG, in particular relating to the exclusion of SINCS and areas required for SUDS cannot in any way contribute to the provision of open space on site, is too rigid, and will work against the principles of placemaking. The statement that SUDS areas should be excluded from areas of public open space is in direct conflict with the Welsh Government statutory standards for SuDS in Wales, together with the Ciria SuDS guidance with regard to amenity benefits provided by SuDS features. This is dealt with in more detail below in response to paragraph 8.2 of the draft SPG.	The consultees comments are noted. The consultees specific comments in relation to paragraph 8.2 are addressed below.	No action required
Boyer on behalf of Llanmoor Homes	4.10	8	Section 4.10 of the draft SPG recognizes the importance of *"Accessible Green Space (including public open space)"* and they are defined as "*predominantly natural areas which contribute to the quality of life of urban areas and where these areas contain features such as woodland, shrubbery, heath and rough grassland."*	Comments noted.	No action required.
Boyer on behalf of Llanmoor Homes	4.12	9	Paragraph 4.12 sets out the recommendations of the Countryside Council for Wales including the provision of at least 2 hectares per 1000 population and that no person should live more than 300 metres from their nearest area of natural green space. However, paragraph 4.13 states that the toolkit may not be appropriate in all urban contexts and that the standard is promoted as an aspirational target. Whilst it is accepted that for most urban sites the standard may not be appropriate there are opportunities for incorporating accessible natural green space into the master plan for the land at West Bridgend which will contribute to its placemaking credentials. As part of the current promotion of the site Llanmoor Homes have instructed EDP to carryout detailed surveys	Developers and prospective applicants are encouraged to engage with the Planning Department at pre-application stage to discuss such site-specific characteristics and open space provision as described in the Consultees response. The draft SPG acknowledges at paragraphs 7.7 – 7.10 that the Council will take a flexible approach to the level and type of open space provision on new housing developments. The exact form and type this will take will be determined by such factors as the nature and size of the development, the particular characteristics of the site, the availability of facilities in the local area, the requirements of future occupiers and the need to provide other infrastructural improvements.	No action required.

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			of the SINC areas to ascertain whether their designation is still fully justified and, if so, whether a designation of accessible natural greenspace would have an unacceptable adverse impact on their ecological value. It is not possible to undertake these surveys until May, but the results of the surveys will be made available to the Council as a part of further submissions on the LDP. It would appear that the SINC boundary areas have been widely drawn and that they contain areas of land which could be used as accessible open space. Whilst such areas would not be suitable for formal play provision to include LEAPS/LAPS or playing fields they can still function as areas of formal open space which not only contribute to green infrastructure of a site but also provide areas of natural green space. In these instances, public access will need to be managed carefully dependent on the sensitivity and nature of habitats/species but that does not mean that SINCS should be automatically excluded from open space provision. If such features are included in the red line of the planning application, they can be managed through legal agreements as part of the S106 Agreement which will ensure that their biodiversity interests are promoted thus delivering positive ecological benefits. At present areas of the SINC at West Bridgend are accessible to grazing sheep and the habitat features for which it is designated are subject to damage and the structurally and botanically diverse grassland communities have been suppressed. There are therefore potential opportunities for its enhancement to be delivered as part of the development ecology mitigation for the site overall whilst accommodating planning policy requirements. Consideration should also be given to the contribution to open space that can be made off site by the enhancement of the surrounding footpath network and improving connections to offsite sport and recreation facilities such as the football pitch and recreational ground at Bryntirion. We also propose a similar approach with any buffer zones adjacent to retained hedgerows which could have a dual function such as a trim trail /accessible green space and contribute to natural green space. There has to be a balanced and flexible approach in considering how to provide for public open space together with land set aside for buffer zones, tree	Early engagement with the Planning Department at pre-application stage will enable these matters to be discussed during the developer's site evaluation exercise.	

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			protection areas, SINC designations and SUDS. The issue being that if the net development area is significantly reduced there will be insufficient value in the site to support the provision of the necessary infrastructure, highway improvements, drainage, and the provision of the primary school, education contributions and affordable housing. As drafted the SPG will introduce an inappropriate level of inflexibility which will be interpreted by development managers to prevent the balanced approach which we are seeking.		
Boyer on behalf of Llanmoor Homes	7.4	13	Llanmoor Homes have the following detailed comments on the draft SPG: Paragraph 7.4 provides a worked example and this illustrates the problem with the land take in providing the POS on site. The provision of 3,600 sq m of POS (0.9 acres) would equate to approximately 25% of the site area and in addition provision would have to be made for SUDS features.	The intention of the worked example at Paragraph 7.4 is to demonstrate how the total requirement of outdoor play space should be calculated in relation to notional unit types and the FIT standards. Such a calculation provides a starting point for discussion between a developer and the Council and will be subject to the site-specific considerations as described in Paragraphs 7.7 to 7.10.	No action required
Boyer on behalf of Llanmoor Homes	7.10	14	Paragraph 7.10 is welcomed as it does introduce some element of flexibility. This is more likely to be the case with a large urban expansion such as is being proposed at West Bridgend and the text should acknowledge this.	Comments noted	No action required
Boyer on behalf of Llanmoor Homes	7.11	15	Paragraph 7.11 outlines the green infrastructure approach which is supported and the SPG should clarify that in certain circumstances it is appropriate to incorporate SINCS, SuDS and buffer zones into green infrastructure and would contribute to the overall requirement for public open space.	Paragraph 7.12 highlights the Council's commitment to creating a multi-functional network of natural and semi-natural features, green spaces, green corridors, rivers and lakes that intersperse and connect places. All developments must seek to maximise as far as practicable the amount of green infrastructure on the site, as well as the interconnectedness of green infrastructure within and around the site to the wider green infrastructure network. Outdoor recreation facilities, SINCs, SuDS and buffer zones are all green infrastructure assets that have primary functions but can also perform different functions simultaneously. However, in some cases, it may not be appropriate for an individual asset to be fully multifunctional, for example a wildlife site that is designated for its ground nesting birds should not necessarily be fully accessible as that is likely to be detrimental to its primary function. Much will depend on the individual characteristics of a development site. This is why the draft SPG encourages Developers and prospective applicants to engage with the Planning Department at pre-application stage to discuss such site-specific	No action required

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
				characteristics and how they may influence the planning and design of a development. The provision of green infrastructure is addressed in other LDP policies and SPG.	
Boyer on behalf of Llanmoor Homes	8.2 & 9.2	16 & 19	Llanmoor Homes strongly object to the statement in Paragraph 8.2 that balancing ponds/attenuation areas cannot be considered towards open space. The Welsh Government statutory standards for SuDS clearly states that the key aim for SuDS is to integrate the surface water function with open space, providing amenity and recreation opportunities where possible (paragraph G4.3). Paragraph G4.3 states that SuDS assets create amenity space accessibility and contribute to green space accessibility across a new development site. The SuDS standards promote a more holistic view as opposed to the draft SPG which treats SuDS and green spaces as separate entities. The purpose of Standard 4 is to maximise the amenity benefits that SuDS provide and one of the key paragraphs within the current SuDS standards is G4.6 which states the following: "***Using land for SuDS that also has another purpose will usually deliver more cost effective and viable development outcomes. SuDS components can have a wide range of uses in addition to their water quantity and quality management functions eg playgrounds and sport pitches ,car parking and as part of roads space, public open space and highway verges."*** The draft SPG is clearly in direct conflict with Welsh Government's intention to enable SuDS features to form areas of open space and ignores the benefits that an integrated approach to achieving a good design and meeting placemaking principles. Rain gardens and swales etc. enhance the visual amenities across a site (as per Ciria SuDS manual) enhancing places to live/work and promoting carbon sequestration (as per the SuDS standards amenity guidance). Detention basins can also multiple benefits to a site when designed for an amenity purpose .With correct slope gradients, level and strategic design these spaces can be accessible and usable for site residents. The Ciria SuDS Manual states that detention basins can be used to serve more than one purpose (such as also forming playgrounds or sports fields) and can be enhanced with footpaths or cyclepaths.	The consultee's comments are noted. It is recognised that Sustainable Drainage (SuDS) Statutory Guidance (2019) and Statutory Standards for Sustainable Drainage Systems (2018), both published by Welsh Government, are the relevant reference point for the mandatory use of SuDS on new developments and their approval and adoption by the Council as the SuDS Approving Body (SAB). The guidance states, in the first instance, that drainage systems should be considered at the earliest stages of site design to influence the layout of the roads, buildings and public open spaces. In this regard, the draft SPG encourages developers and prospective applicants to engage the Planning Department in pre-application discussions at the earliest opportunity. A key aim for sustainable drainage is to provide an improved local environment which integrates the surface water drainage function with open space, providing amenity and recreation opportunities where possible. It is acknowledged that SuDS components can have a wide range of uses in addition to their water quantity and quality management functions e.g., playgrounds and sports pitches, car parking, public open space and highway verges. The Statutory SuDS Standards also encourage good quality SuDS (such as wetlands, swales, ponds and vegetated SuDS) which can help enhance access to green spaces and provide an improved local environment which integrates the surface water drainage function with open space providing habitat opportunities where possible to maintain biodiversity. Any space outside the curtilage of an individual property unit may be suitable for SuDS as part of a residential development. For example, car parking and bike paths can be surfaced with permeable paving and may have a drainage channel, a play space may provide for excess water in flood conditions. However, areas of formal open space that include SuDS such as sports pitches and play areas should be available for use throughout the year and their recreational use	Amend text at 8.2 to read: *"Land that has protected status, for example, Scheduled Ancient Monuments, woodlands with a Tree Preservation Order or SINCS are also considered unsuitable for designation as ~~usable outdoor~~ formal equipped play space within a development if such a use would have demonstrable harm upon its primary function. In addition, areas that have a separate function, e.g., balancing ponds, attenuation areas or other engineered features, cannot be considered towards ~~open space or in~~formal play provision unless its use as such can be reasonably guaranteed throughout the year."* Amend text at 9.2 to read: *"The local authority will not adopt under the heading of outdoor play space, apparatus or structures including their surface areas and standoff zones that have a primary function that is not open space. This includes incidental open space associated with underground installations and engineering features, storm water cells, balancing ponds and landform for storm water drainage. The Council will consider adopting Sustainable Drainage Systems (SUDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in accordance with the provisions of the Flood and Water Management Act 2010."* *~~However, they will not be considered to be usable public open space~~."*

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			When constructed for multiple purposes, the detention basin should be usable for the function other than surface water attenuation for the majority of the time and where the basin forms an integral part of the system, it is important that those living nearby or using the facility are aware of its functionality and value through information boards and signage. With careful design any detention basin can form a useable and accessible area of public open space. Smaller flows (such as the 2- or 5-year return period) could be conveyed through a basin in the form of a swale, or create a small pond /forebay within the basin to attenuate these flows leaving the rest of the basin to site play equipment, including stepping stones, bridges and other items of natural play. In this way placing LEAP's etc. into these features can be seen as more acceptable due to the management of waterlogged soils and gradients of side slopes. In the situation of larger rainfall events (30-year, 100-year), play areas are less likely to be used, and in this manner the basin is usable as a play area for the majority of the time, meeting the criteria of the SuDS Manual. Llanmoor Homes have experience of providing LEAPS and LAPS within attenuation features at the following locations – Hawtin Parc, Bedwellty School and Pandy Road in Caerphilly CBC, Tondu in Bridgend CBC and LLanharry in RCT. SuDS can also be used to provide biodiversity benefits and serve as a visual, amenity and habitat features, thereby delivering the requirement for Natural Green space. If they are well designed, they can contribute to the provision of green space within the development and make an important contribution to the requirements of placemaking. In most cases the attenuation features will only actually be flooded in very extreme events and the vast majority of time they will be dry and accessible by the public. People should not be using any POS during any extreme storm event. This restriction will have a significant impact on the amount of net developable area, reducing the capacity of the site with an adverse impact on the viability of the development. For the reasons outlined above Llanmoor Homes also object to Paragraph 9.2 which also refers to SuDS not being considered to be usable public open space.	should not be dictated by their primary SuDS function. The provision of SuDS must also not be used in lieu of contributions towards formal open space and recreational facilities. The Council recognises that opportunities for SuDS should be maximised through cooperative working between the various departments with responsibility for parks, recreation, green space, biodiversity and countryside. In this regard, developers are encouraged to collaborate with the Council to help facilitate the use of such space for SuDS. Prospective applicants are encouraged to engage with the Planning Department at pre-application stage so that these matters can be discussed during the developer's site evaluation exercise. The draft SPG text will be amended to provide greater clarity on the dual functionality of SuDS features, formal open space and recreation facilities as part of residential development.	

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			Appendix 3 contains financial contributions cost guidance for recreation provision and illustrate just how costly it is to provide outdoor recreation facilities. The Council should be aware that the cumulative effects of providing all the necessary infrastructure and other S106 obligations including affordable housing will have a significant impact on the viability of the scheme at West Bridgend. In our comments on the draft SPG on Educational Facilities we calculated that the contribution could be over £14,000 a plot which would include the affordable housing which will be transferred to the RSL at a significant discount to cost. The requirements of this SPG will add significantly to the cost per plot which is likely to run into many hundreds of thousands of pounds and that is before the requirement for SuDS features is taken into account. Whilst Llanmoor Homes fully respect that new development must contribute to mitigate the impacts it has on the surrounding locality there has to be a limit to what contributions/obligations a development can reasonably provide as there will come a point where all sites will become unviable and undeliverable. Moreover, these concerns arise before any consideration of what the level of affordable housing is likely to be which we know has become an increasing priority for Welsh Government. Llanmoor Homes therefore suggest that appropriate amendments are made to the draft SPG to overcome their concerns which have been outlined above and in particular to the statements that SINCS and SuDS area should be excluded from contributing to open space provision.	The draft SPG acknowledges at paragraphs 7.7 – 7.10 that the Council will take a flexible approach to the level and type of open space provision on new housing developments. The exact form and type this will take will be determined by such factors as the nature and size of the development, the particular characteristics of the site, the availability of facilities in the local area, the requirements of future occupiers and the need to provide other infrastructural improvements. Paragraph 7.10 in particular makes reference to circumstances where there will be a need to determine the relative priority of other planning obligations that may be deemed necessary to enable the development to go ahead. Further clarification on the impact this may have on the viability of a scheme, and how it will be assessed will be added to Section 10. Prospective applicants are encouraged to engage with the Planning Department at pre-application stage so that these matters can be discussed during the developer's site evaluation exercise.	Add paragraph on 'Viability' to Section 10 to provide greater clarity on the impact of infrastructural requirements on development viability and how it will be assessed as part of the processing of a planning application.
Savills	Section 4	8	Rather than explicitly object to the documents, as we find that much of the SPG is non-contentious and can be supported, we have not ticked either box above but do wish to reiterate two points that we make. The first is a very general point and relates to Section 4 of the SPG. Much of the SPG relies upon the Fields in Trust (FIT) Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard. The use of the FIT guidance is sensible given its standardised nature, but it is essential that these guidelines are applied with a degree of flexibility, recognising that for some sites it may be appropriate (or indeed only possible) to provide	Comments noted. The draft SPG acknowledges at paragraphs 7.7 – 7.10 that the Council will take a flexible approach to the level and type of open space provision on new housing developments. The exact form and type this will take will be determined by such factors as the nature and size of the development, the particular characteristics of the site, the availability of facilities in the local area, the requirements of future occupiers and the need to	No action required.

<table>
<tr><th>Organisation</th><th>Section No.</th><th>Page No.</th><th>Representation</th><th>Reasoned Response</th><th>Decision and Action</th></tr>
<tr><td></td><td></td><td></td><td>a different mix of public open space. This also needs to be seen in the context of the other competing forms of land take (such as SuDS, schools, and land to deliver a biodiversity net gain) that inform the masterplanning process.</td><td>provide other infrastructural improvements. Prospective applicants are encouraged to engage with the Planning Department at pre-application stage so that these matters can be discussed during the developer's site evaluation exercise.</td><td></td></tr>
<tr><td>Savills</td><td>7.2</td><td>13</td><td>The second is more specific. Under Paragraph 7.2 of the Outdoor Recreation Facilities and New Housing Development SPG is a table which contains the average occupancy rate per type of dwelling (which is tiered depending on the size and type of dwelling). It is not clear what evidence or research has informed the calculation of these proposed occupancy rates.

Table DC4405EW from the 2011 Census shows the household size by number of bedrooms at a local authority level and hence provides an evidence-based position on household size as of 2011. The table below summarises the average number of residents for various property types based on Census information:

Property Type / Average Occupancy:-
1 Bedroom – 1.3
2 Bedroom – 1.8
3 Bedroom – 2.4
4 Bedroom – 3.0

The above table obviously does not distinguish between flats and houses but nevertheless demonstrates that a significant over-estimation of household size proposed to be used is made the SPG when compared to 2011 Census data (particularly when compared with the figures proposed to be used for housing). As a result, the assumed population resulting from the development is inaccurately inflated, and thus new developments would be expected to provide a disproportionately high level of public open space.

We ask that BCBC give further consideration to the average occupancy rates assumed in the SPG.</td><td>It is acknowledged that the occupancy rates included in the draft SPG have no reference to statistical data and are based on anecdotal evidence held within the Council. However, there is no data available from the 2011 Census that directly correlates to providing average occupancy rates per type and size of dwelling.
It is further acknowledged that average household sizes have been decreasing since 2001 and this is projected to continue. To recognise this, the average occupancy rates in paragraph 7.2 will be adjusted to be more closely aligned with the available datasets from the 2011 Census. They will also be monitored and updated as more accurate data becomes available.</td><td>Delete table in Paragraph 7.2:

<table><tr><th>~~Household Type~~</th><th>~~Average Occupancy~~</th></tr><tr><td>~~1 bed flat~~</td><td>~~1.5 persons~~</td></tr><tr><td>~~2 bed flat~~</td><td>~~2 persons~~</td></tr><tr><td>~~3 bed flat~~</td><td>~~2.5 persons~~</td></tr><tr><td>~~1 bed house~~</td><td>~~1.5 persons~~</td></tr><tr><td>~~2 bed house~~</td><td>~~2 persons~~</td></tr><tr><td>~~3 bed house~~</td><td>~~3 persons~~</td></tr><tr><td>~~4+ bed house~~</td><td>~~4 persons~~</td></tr></table>
Replace with following table:

<table><tr><th>Household Type</th><th>Average Occupancy</th></tr><tr><td>1 bed house</td><td>1.5 persons</td></tr><tr><td>2 bed house</td><td>2 persons</td></tr><tr><td>3 bed house</td><td>2.5 persons</td></tr><tr><td>4 bed house</td><td>3 persons</td></tr><tr><td>5+ bed house</td><td>4 persons</td></tr></table></td></tr>
<tr><td>Barratt & David Wilson Homes</td><td>6.6</td><td>11</td><td>Assessment of Outdoor Play Space Provision

Paragraph 6.6 – BDW suggest that additional wording is required here to take account of other developer contributions. If off-site contributions have already been taken from one development, then charging another developer for the same maintenance would seem unreasonable. BDW also consider the reference to</td><td>Comments noted. All planning obligations secured through Section 106 of the Town and Country Planning Act (1990) need to meet the 3 policy tests. Furthermore, the Community Infrastructure Levy Regulations 2010 restrict the ability of the Council to pool contributions for the same type of infrastructure. Any off-site contributions the Council seeks to secure from developers will need to meet these tests and</td><td>Add paragraph on 'Section 106 Agreements' to Section 10 to provide greater clarity about the pooling of restrictions.</td></tr>
</table>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			'current quality standards' is ambiguous and should be clarified accordingly.	restrictions. Additional text will be added to Section 10 of the draft SPG to clarify this point. It is acknowledged that the reference to 'current quality standards' is ambiguous, but the paragraph applies to a wide range of different types of outdoor play space, children's play equipment and sports facilities. These may all have their own quality standards of provision. Any assessment of the quality and condition of existing outdoor recreation facilities will be done in close with liaison with a developer at the pre-application stage.	
Barratt & David Wilson Homes	8.5	16	Children's Play Space Paragraph 8.5 - BDW consider that the last sentence in this paragraph is a very sweeping statement and is not required. The provision of a play area, even a small area for young children, as suggested, will very much depend on the size and mix of house type on the development itself as well as wider viability issues, and therefore it should not be considered that it is 'normally possible' to include such provision on site.	Comments noted. In the first instance the council will always seek for children's play space to be provided on-site where possible within housing sites. The draft SPG clearly states in paragraphs 7.7 to 7.10 that this may not always be possible. The text of paragraph 8.5 will be amended to reflect this.	Amend paragraph 8.5 to read: *"In housing sites, ~~it will normally be possible~~ every effort should be made to provide a children's play space onsite, particularly for the needs of very young children*."
Barratt & David Wilson Homes	8.12/8.13	17	Allotments Paragraph 8.12 / 8.13 describes the role and function of allotments but does not offer any particular guidance or requirements for their provision, therefore BDW is unsure of the relevance of this within the wider SPG.	The provision of allotments forms part of the outdoor recreation space standard of Policy COM11 of the LDP. In certain circumstances, they could be considered to fulfil part of the on-site provision within a development when other forms of outdoor recreation space are not required. This will depend on individual site characteristics, the nature and size of the development and the availability of facilities in the local area. The exact form and type of open space will be determined on a case-by-case basis as part of pre-application discussions.	No action required
Barratt & David Wilson Homes	8.15	17	Accessible Natural Greenspace Paragraph 8.15 – BDW object to the wording of this paragraph. There needs to be recognition that creating a point of access to natural greenspace could involve third party land, and such a requirement could create a ransom situation which could prejudice the development. This requirement would only be reasonable if the developer or the Council owned the land, and a suitable access could be delivered in a reasonable timescale. The paragraph should be re-worded accordingly.	Paragraph 8.17 provides guidance on circumstances where the creation or upgrading of an access point is not possible. Such circumstances could include non-deliverability due to third party land issues. In such cases, the Council will expect the creation of natural greenspace within the development proposal or an equivalent contribution towards the upgrading of an existing recreational facility to improve its naturalness. Issues such as this can be clarified as part of pre-application discussions.	No action required.

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Barratt & David Wilson Homes	9.1	19	Management and Maintenance Options BDW supports the willingness of the Council to adopt and maintain the public open space which they require developers to provide (Paragraph 9.1). However, BDW object to the seemingly contradictory statement at Paragraph 9.2 that the Council will not adopt 'apparatus or structures including their surface areas and standoff zones' (including incidental open space associated with underground installations and engineering features, storm water cells, balancing ponds and landform for storm water drainage. BDW consider that these areas should also be considered for adoption by the Council, otherwise it would create an unnecessary complication for developers and future residents of having some areas of open space adopted within a development and some privately managed, resulting in burdensome service charges.	The reference in paragraph 9.2 to 'apparatus' is made in relation to structures whose primary purpose is not related to the provision of open space. It should not be confused with facilities and equipment that form part of a children's play area. These would clearly have a primary use for open space and would be adopted as such.	No action required
Barratt & David Wilson Homes	9.2	19	Also at Paragraph 9.2, the wording in relation to Sustainable Drainage Systems (SuDS) needs to be amended as the Council are required to adopt a SuDS scheme once they approve the scheme.	Comments are noted. It is recognised that under Schedule 3 of the Flood and Water Management Act 2010, local authorities as the SuDS Approving Body (the SAB) have a duty to approve SuDS which follow the national statutory Standards for SuDS. With the exception of single curtilage sites, the SAB also has a duty to adopt the system. The text will be amended to acknowledge this.	Amend text in Paragraph 9.2 to read: *"The Council will consider adopting Sustainable Drainage Systems (SUDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in accordance with the provisions of the Flood and Water Management Act 2010."*
Barratt & David Wilson Homes	9.5	19	BDW object to the suggestion in Paragraph 9.5 that off-site payments should also attract a commuted sum to cover the cost of future maintenance. This is also likely to result in double counting as the area of open space for which the contribution is sought would already be maintained using existing funds.	In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 9.5 will be amended to clarify this point.	Amend text in Paragraph 9.5 to read: *"Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum based on the equivalent cost of providing the required facility on-site will ~~for future maintenance costs will also~~ be sought."*
Barratt & David Wilson Homes	10.3	20	Financial Contributions BDW object to the wording in Paragraph 10.3 that suggests the contribution in lieu of onsite provision for open space will be based on the standard costs for land, design, layout and equipment. It is widely accepted that developers can make contributions to the improvement of existing outdoor recreational facilities, usually owned by the Council, in lieu of on-site provision (as noted in Paragraph 10.2 of the SPG) in which case why are land	In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 10.3 will be amended to clarify this point. Paragraph 10.3 also states that the exact level of financial contributions sought from developers may vary from the figures illustrated in the draft SPG to take account of individual site characteristics.	Amend text in Paragraph 10.3 to read: *"The commuted payment calculations are based on the ~~standard costs for land, design, layout and equipment,~~ equivalent cost of providing the required facility on-site, which have been developed from current rates of tendered contracts by the Council."*

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			costs included in the commuted sum payment calculation? The wording should be amended. Finally, BDW consider that the SPG should include a specific section on 'Negotiations with Developers' or 'Viability', as per Draft SPG 16, Educational Facilities and Residential Development, which is also being consulted on at present.	The consultees comments in relation to the inclusion of a section on 'Negotiations with Developers' is noted and will be added to the draft SPG.	Add paragraph on 'Negotiations with Developers' to Section 10 to ensure consistency with the adopted 'Education Facilities and Residential Development' SPG.
HBF	6.6	12	HBF suggests additional wording is required as account should be taken of the potential for more than one developer contribution in the same area. If off site contributions have already been taken from one development, then charging another developer for maintenance of the same area would seem unreasonable.	Comments noted. All planning obligations secured through Section 106 of the Town and Country Planning Act (1990) need to meet the 3 policy tests. Furthermore, the Community Infrastructure Levy Regulations 2010 restrict the ability of the Council to pool contributions for the same type of infrastructure. Any off-site contributions the Council seeks to secure from developers will need to meet these tests and restrictions. Additional text will be added to Section 10 of the draft SPG to clarify this point.	Add paragraph on 'Section 106 Agreements' to Section 10 to provide greater clarity about the pooling of restrictions.
HBF	8.5	16	The last sentence is a very general statement and is not considered necessary, alternatively it should be reworded as the provision of such a facility will, as already stated earlier in the document, be subject to the size and mix of property type on the development as well as wider viability issues.	Comments noted. In the first instance the council will always seek for children's play space to be provided on-site where possible within housing sites. The draft SPG clearly states in paragraphs 7.7 to 7.10 that this may not always be possible. The text of paragraph 8.5 will be amended to reflect this.	Amend paragraph 8.5 to read: *"In housing sites, ~~it will normally be possible~~ every effort should be made to provide a children's play space onsite, particularly for the needs of very young children."*
HBF	8.12	17	Gives no real guidance just describes what they are and what they can do. Is guidance to be provided elsewhere, some idea of size and specification would be required in order to cost the provision?	The provision of allotments forms part of the outdoor recreation space standard of Policy COM11 of the LDP. In certain circumstances, it could be considered to fulfil part of the on-site provision within a development when other forms of outdoor recreation space are not required. This will depend on individual site characteristics, the nature and size of the development and the availability of facilities in the local area. The exact form and type of open space will be determined on a case-by-case basis as part of pre-application discussions.	No action required.
HBF	8.15	17	The wording should recognise that the land required could be subject to third party ownership, and as such a requirement could create a ransom situation which could result in the development not happening at all, or make it very difficult for the developer to deliver the requirement. As currently worded, it would only be acceptable if the developer or the Council owned the land, this should be made clear in the text.	Paragraph 8.17 provides guidance on circumstances where the creation or upgrading of an access point is not possible. Such circumstances could include non-deliverability due to third party land issues. In such cases, the Council will expect the creation of natural greenspace within the development proposal or an equivalent contribution towards the upgrading of an existing recreational facility to improve its naturalness. Issues such as this can be clarified as part of pre-application discussions.	No action required.

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
HBF	8.16	18	After the word 'but' on the first line should it say 'where the access'…	Comments noted and wording to be amended	Amend paragraph 8.16 to read: *"Where a development is within 300 metres of ~~a development site~~ an area of accessible natural greenspace, but where the access is of an unacceptable standard, the Council will expect an appropriate contribution towards the upgrading of that access point."*
HBF	9.1	19	HBF supports the willingness of the Council to adopt and maintain the public open space which they require developers to provide.	Comments noted	No action required.
HBF	9.2	19	HBF strongly objects to the Council then contradicting para 9.1 by stating they will not adopt 'apparatus or structures including their surface areas and standoff zones' in HBF's view these clearly fall within the second criteria stated in para 9.1 and should be adopted by the Council. The adoption of open spaces and roads is currently being considered by WG (a call for evidence is currently ongoing). The idea of an open space being part adopted and part privately managed (play equipment element) would seem to add an additional unnecessary complication. It will lead to confusion for residents as the public open space on a development will be maintained by the Council, yet they will be required to pay a maintenance charge for the play equipment element in the same area. The residents being asked to pay are not given the opportunity to decide if they want the charge or the play equipment to which it relates. If the Council will not amend their position on this, then the SPG should provide clear guidance on what type of management arrangement the Council would wish to see put in place for the equipment. Although this should not be overly prescriptive as there are currently a number of management company options available to developers/residents. Further the wording relating to SuDS needs to be amended as the Council are required to adopt a SuDS scheme once they approve it. At this early stage of SuDS implementation, the HBF considers that the Council should take a more relaxed and flexible approach to adopting green areas which serve as SuDS	The reference in paragraph 9.2 to 'apparatus' is made in relation to structures whose primary purpose is not to provide open space. It should not be confused with facilities and equipment that form part of a children's play area. This would clearly have a primary use for open space and would be adopted as such. It is recognised that under Schedule 3 of the Flood and Water Management Act 2010, local authorities as the SuDS Approving Body (the SAB) have a duty to approve SuDS which follow the national statutory Standards for SuDS. With the exception of single	No action required. Amend text in Paragraph 9.2 to read: *"The Council will consider adopting Sustainable Drainage Systems (SUDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in*

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			features, as public open space. In practice it is the 'Council' who can adopt the open space and the SuDS all be it different departments.	curtilage sites, the SAB also has a duty to adopt the system. The text will be amended to acknowledge this.	*accordance with the provisions of the Flood and Water Management Act 2010."*
HBF	9.5	19	HBF objects to the suggestion that off-site payments should also attract a commuted sum. Firstly, it would not be possible to calculate the commuted sum until it was known what the money was being spent on which is often not the case with off-site payments. The SPG offers no guidance on the time period in which the Council has to spend the off-site payment either. This is also likely to result in double counting as the area of open space where the money is to be spent will already be being maintained using existing funds / offsite contributions from another development.	In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 9.5 will be amended to clarify this point. With regards to the time period for spending of off-site payments, this will be included within any Section 106 Agreement and in the first instance, discussed with the developer. Additional text will be added to Section 10 of the draft SPG to clarify this point.	Amend text in Paragraph 9.5 to read: *"Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum based on the equivalent cost of providing the required facility on-site will ~~for future maintenance costs will also~~ be sought."* Add paragraph on 'Negotiations with Developers' to Section 10 to clarify how planning contributions will be sought.
HBF	10.3	20	It would be normal practise for an off-site contribution to be used to upgrade an existing facility owned by the Council, this being the case why would a commuted sum payment calculation need to include costs for land. This wording should be amended. Further any commuted sum should apply only to the upgraded element of the existing park and would not be able to use the full suggest commuted sum calculated provided in the SPG. Appendix 3 includes an example of installation costs followed by maintenance costs. However, the maintenance costs include costs for replacing vandalised equipment, annual safety check, annual risk assessment and repainting equipment and replacing safety surface. However, at para. 9.2 of the SPG the Council states that it will not adopt these features and that these should be managed by a separate maintenance agreement, so it would be unreasonable to then charge a commuted sum which includes them as currently suggested. These items and associated costs should be removed if the Council continue to state that they will not adopt as per para 9.2. The HBF also notes that although each example includes for two litter bins, the cost of emptying them increases in each example, why would the cost of emptying the same number of bins increase as a result of the play area being increased in size?	In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 10.3 will be amended to clarify this point. Paragraph 10.3 also states that the exact level of financial contributions sought from developers may vary from the figures illustrated in the draft SPG to take account of individual site characteristics. The reference in paragraph 9.2 to 'apparatus' is made in relation to structures whose primary purpose is not to provide open space. It should not be confused with facilities and equipment that form part of a children's play area. This would clearly have a primary use for open space and would be adopted as such. The costs attributed to bin collection provision increases with the size of play areas due to larger facilities attracting an increased amount of service-users, with the associated bins seeing a heavier usage as a result. Therefore, a more frequent collection would be required to accommodate the increased use.	Amend text in Paragraph 10.3 to read: *"The commuted payment calculations are based on the ~~standard costs for land, design, layout and equipment,~~ equivalent cost of providing the required facility on-site, which have been developed from current rates of tendered contracts by the Council."*

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			Unlike the Education SPG also currently being consulted on there is no section on 'Negotiations with Developers' or 'Viability', this should be included in this SPG as well.	The consultees comments in relation to the inclusion of a section on 'Negotiations with Developers' is noted and will be added to the draft SPG.	Add paragraph on 'Negotiations with Developers' to Section 10 to ensure consistency with the adopted 'Education Facilities and Residential Development' SPG.

Factual Updates

Organisation	Section No.	Page No.	Factual Update Required
BCBC	3.3	4	Update reference to PPW Edition 11 (February 2021)
BCBC	6	11	Update Section 6 to reflect findings of Outdoor Sports & Children's Playing Space Audit 2020