



Walsall Council

**Supplementary Planning Document
to the Walsall Unitary Development Plan**

Urban Open Space

April 2006

Supplementary Planning Document (SPD) Matters

- Title of SPD:** Supplementary Planning Document for UrbanOpen Space.
- Subject:** This SPD expands on “saved” policies GP3 and LC1 to LC6 of the Walsall UDP regarding provision of open spaces in the borough of Walsall.
- Consultation:** Comments could be made on the draft SPD and the Sustainability Appraisal between 27 January and 24 February 2006.
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- The relevant documents can be inspected on the Council’s website, at www.walsall.gov.uk, at the First Stop Shop in Walsall Civic Centre and at public libraries in the borough of Walsall.
- Adoption:** Anyone could ask to be notified of the adoption of this SPD at a specified address.
- This SPD was adopted by the Cabinet on 12 April 2006.
- Evidence:** The evidence base for the SPD is the Audit and Assessment Report (“The Audit”) for the Walsall Greenspace Strategy (GSS), which is being developed in parallel with the SPD.
- Reference is also made to the Council’s Playing Pitch Strategy.

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1. Introduction

- 1.1. The Walsall Unitary Development Plan (UDP), adopted in 2005, says in paragraph 1.17 that the Council will prepare a supplementary planning document to set local standards, in accordance with PPG 17, which will be used as a guide to decision-making on development proposals and the use of resources.
- 1.2. The purpose of this SPD, then, is to explain with reference to the UDP the requisite local standards and the contributions that developers will be required to make towards the provision and improvement of open spaces.
- 1.3. The SPD is not intended to be site-specific and will not be used to determine the specific location of open space facilities, nor will it be used to determine the particular usage of specific sites.
- 1.4. The SPD is, chiefly, a guide to the scale and kind of contribution that developers will be required to make towards the provision of new, and the improvement of existing, open spaces. The local standards will also be used as a guide to how much on-site provision will be required for larger developments.

Accompanying documents

- 1.5. Every SPD must be accompanied by a Sustainability Appraisal, the purpose of which is to assess the likely environmental, social and economic impact of implementing the SPD. In summary, the Sustainability Appraisal concludes that the impacts in this case are likely to be minor, but generally positive as there will be more resources for open space, sport and recreation facilities.
- 1.6. It is also necessary to prepare a Screening Statement, which explains whether a Strategic Environmental Assessment (SEA) is required in terms of the SEA Directive¹.
- 1.7. There is also a Statement on Consultation, which describes how people have been consulted on the SPD, in accordance with the Council's Statement of Community Involvement, and how their comments have been taken into account in preparing the SPD.

Consultation

- 1.8. Comments could be made on the draft SPD and the Sustainability Appraisal between 27 January and 24 February 2006 to the Physical Regeneration Strategy Team, Walsall Council, Civic centre, Darwall Street, Walsall WS1 1TP or email to LDF@Walsall.gov.uk.
- 1.9. The consultation was carried out in accordance with the Walsall Statement of Community Involvement (SCI) as submitted to the Secretary of State in December 2005. This involved a householder survey, workshops, discussions with interested parties and other informal consultation prior to this formal stage. A separate Statement on Consultation describes the consultation and responses in detail.

¹ European Directive 2001/42/EC, known as the "SEA Directive", as translated by the Environmental Assessment of Plans and Programmes Regulations 2004.

2. The Policy Framework and Conformity

- 2.1. The wider policy framework for this SPD is provided by Government policy, primarily in PPS 1 on Delivering Sustainable Development and PPG 17 on Open Space, Sport and Recreation and the West Midlands Spatial Strategy (WMSS), embodied in Regional Planning Guidance for the West Midlands (RPG 11) June 2004. The SPD must be consistent with all of these.
- 2.2. PPS 1 sets out the Government's objectives for the Planning System. Of particular relevance to this SPD are social cohesion and inclusion and the need to deliver safe, healthy and attractive places to live. A key objective is to provide improved access to open space, sport and recreation, by ensuring development is located where everyone can access services or facilities in foot.
- 2.3. The local policy framework for the SPD is the Walsall UDP 2005. The key policies in the UDP are:
 - GP3: Planning Obligations.
 - LC1: Urban Open Spaces, in particular paragraph (d).
 - LC2: Proposed Open Space.
 - LC3: Children's Play Areas.
 - LC4: Allotment Gardens.
 - LC5: Greenways.
 - LC6: Sports Pitches.
- 2.4. In addition paragraph 8.3 of the Strategic Policy Statement sets out the Council's general aims regarding urban open spaces:

"The Council will protect, maintain and seek the enhancement of existing urban open spaces. The provision of additional urban open spaces will be encouraged wherever feasible in areas of deficiency and in particular in the more highly built-up parts of the Borough. The aim is that all people will have convenient, safe access to a range of open space facilities, and that they will be encouraged to use them."
- 2.5. Although the UDP stops short of setting local standards and the typology of sites in policy LC1 differs in some respects from that in PPG 17, there is nothing in the UDP that conflicts with PPG 17. Therefore, in complying with the UDP this SPD would be consistent with national policy.
- 2.6. There is no need to repeat of the requirements of PPG 17 here; the Council will continue to apply its policies, which generally protect all types of open space, as appropriate.
- 2.7. The WMSS includes policy QE4, which says local authorities should undertake assessments of local need and audits of provision and develop appropriate strategies for greenspace to ensure there is adequate provision of accessible, high quality urban greenspace. The Walsall GSS and this SPD will be consistent with this approach.
- 2.8. The SPD must conform to the UDP and must not create new policy that goes beyond the UDP.

3. Evidence gathering

- 3.1. To inform the preparation of this SPD the Council appointed Community First Partnership and Scott Wilson to prepare a Greenspace Strategy (GSS). The purpose of the GSS is to describe and evaluate, and to make recommendations on the future provision and management of, the open spaces in the borough.
- 3.2. The extensive Audit & Assessment Report (“the Audit”) prepared for the GSS forms the evidence base for assessing needs, priorities and levels of developer contribution set out in this SPD.
- 3.3. In summary, the Audit comprises:
 - Establishing a typology;
 - Mapping supply;
 - A household survey and other informal consultation to assess people’s usage and perceptions of their local open spaces;
 - Mapping proximity of households to open spaces;
 - Assessing quality (including detailed assessment of 151 sites against Green Flag criteria);
 - Access audit focusing on disability issues;
 - Assessing Value and Quality together.
- 3.4. The value and quality analysis is particularly relevant to UDP Policy LC1, which requires consideration to be given to the range of functions that open spaces can perform.
- 3.5. Comparison has also been made with neighbouring authorities’ approaches to supporting Open Space, Sport and Recreation provision through the Planning process.
- 3.6. The draft GSS will be subject to consultation and the final GSS and SPD will continue to evolve in parallel.
- 3.7. The GSS did not revisit the Playing Pitch Strategy, which was carried out in 2003. Although the Playing Pitch Strategy predates the latest 2005 version of *Towards a Level Playing Field*, the methodology used is consistent with Sport England’s step-by-step guide to the playing pitch model and is therefore reasonably up to date.

4. Existing Provision

- 4.1. Below is a summary of the findings of the Audit & Assessment Report (“the Audit”).

Quantity and accessibility

- 4.2. Overall the borough has just over 2,000 hectares of open space. About 1,200 hectares is unrestricted, equivalent to about 5 hectares per 1,000 people. Almost half is amenity or natural and semi-natural greenspace. The remaining types have traditionally been the subject of standards set by other authorities and amount to about 2.5 hectares per 1,000 people, which is similar to standards set by neighbouring authorities. In general terms this is considered to be about the right quantity, but there are local variations in accessibility to open space as shown by Audit Figure 22).
- 4.3. The household survey found that in most areas the amounts of parks and recreation grounds and natural and semi-natural greenspace were about right, but there is too little provision for children and young people almost everywhere and this is confirmed by the technical work of the Audit.

Quality and Value

- 4.4. Among the 151 sites that were subject to detailed assessment, there is little variation in quality by LNP area (Audit table 7.4.1); only 2-3% from the borough average. However, there is considerable variation on a site-by-site level with scores ranging from 62 down to 10. This would indicate that priority for quality improvements should not be attached to particular LNP areas, but to sites that can have a major impact.
- 4.5. The household survey revealed a different pattern of quality, but this probably reflects people’s perceptions of the quality of a small number of favourite locations.
- 4.6. There is also considerable variation in value scores; from 76 down to 22. There is no obvious correlation between quality and value scores. However, the combined quality and value analysis (Audit table 10.1.1) provides a useful basis for comparing sites and for developing priorities.
- 4.7. A summary of the methodology is set out in Annex A.

Hierarchy

Borough

- 4.8. The Audit considered a theoretical hierarchy and a hierarchy that emerged from the household survey (Audit table 6.1.1.1). The theoretical hierarchy categorised Barr Beacon, Arboretum, Rough Wood [Chase] and Aldridge Airport as Borough facilities. However, the consultation revealed that Leighswood Park, Barr Beacon, Hayhead Wood, Brownhills Common, Arboretum, Park Lime Pits and Rough Wood were considered by respondents to be Borough facilities. This is consistent with the approach to Arboretum and Rough Wood Chase.

- 4.9. Aldridge Airport is unique in the borough, being a very large area that can accommodate major events of borough and wider significance, and it is considered that this should remain at borough level. As there is no clear separation from Hayhead Wood, which, in any case has a very wide catchment, it is included also. The additional sites appearing to have borough level significance from the household survey, however, are not especially different in scale and function to other places in the borough. There are several parks with facilities like Leighswood Park. There are other natural and semi-natural spaces than Brownhills Common or Park Lime Pits.
- 4.10. For this SPD sites of borough level importance include:
- (a) Barr Beacon;
 - (b) Arboretum (including Extension and Golf Course);
 - (c) Rough Wood Chase (including Oily Gough's and Bentley Haye); and
 - (d) Aldridge Airport (including Hayhead Wood).
- (See policy OS5 below.)

Neighbourhood

- 4.11. The Audit has analysed the distribution of green spaces between and within the nine neighbourhoods covered by the Local Neighbourhood Partnerships (LNPs). As a general principle each LNP should contain facilities that provide for all of its needs below borough level.
- 4.12. The Audit lists some 44 green spaces as being of neighbourhood level importance (Audit table 6.2). The accessibility mapping (Audit Fig 18) shows considerable variation in accessibility to borough and neighbourhood facilities. Most of the borough has a low level of proximity to neighbourhood level green spaces. There is a clear need to invest in provision, either by increasing scale and distribution or by improving existing green spaces, so that a longer journey is rewarded with higher quality and value. The UDP points out that, in practice, resources are likely to be focused on improving existing open spaces rather than creating new ones (UDP 8.18). This could include improving accessibility, for example by creating new entrances or more convenient crossings of main roads or canals.

Local

- 4.13. All other green space facilities are considered to be of local importance.

Access for All

- 4.14. The Audit included analysis of 21 sites with respect to access for disabled people. It is clear that in all cases some additional works could significantly enhance the experiences of disabled users of these and other green spaces. Many of these works would be relatively minor in scale and cost, but resources are scarce. These improvements would also benefit others, for example the elderly, people recovering from injury or illness, or others with limited mobility.

Playing Pitch Strategy

- 4.15. The Playing Pitch Assessment and Strategy 2003 addressed the supply and demand for pitches for football, rugby, cricket and hockey. Although it predates the latest 2005 version of *Towards a Level Playing Field*, the methodology used is consistent with Sport England's step-by-step guide to the playing pitch model and is therefore reasonably up to date.
- 4.16. The overall conclusions were that the quantity of pitches available was sufficient to meet needs. For football there was a shortage of junior pitches, but this could be made up by reassigning surplus senior pitches. For rugby pitches and teams were in balance. There were three synthetic turf pitches compared to a need for 4.22, but a further 2 pitches have been laid since. There were more than enough cricket pitches to meet local needs.
- 4.17. The real issue was quality, especially of ancillary facilities such as changing and car parking. It will therefore be necessary to make sure that where additional pressure is placed on existing playing fields that changing and parking facilities are upgraded, as well as ensuring that new sports facilities are up to modern standards.

5. Expanding on UDP Policy

- 5.1. The UDP with respect to open spaces is mainly confined to criteria-based policies. The Audit provides an evidence base to inform interpretation of those policies, for example, by identifying deficiencies and the quality-value assessment.
- 5.2. The relevant UDP policies are reproduced in Annex B. This section focuses on those elements needing clarification or illumination.
- 5.3. Supporting text to policy GP 3 refers to Circular 1/97. This has been replaced by Circular 05/2005, which re-establishes the “necessity test”, which provides additional context for paragraph 2.19.
- 5.4. The UDP is not specific about the balance between on-site and off-site provision, but does say that in practice, resources are likely to be focused on improving existing open spaces. The SPD is consistent with that general principle, though it will be necessary for some larger developments and new residential areas, for example in previously industrial areas, to provide new facilities. In some cases a mix of on-site and off-site provision is likely to be the most appropriate solution.
- 5.5. The Audit focuses on greenspace, but the UDP says that urban open spaces can include paved areas and other types of open space. This could include public squares in town and district centres, which will be important for regeneration in the borough.
- 5.6. Policy LC1 includes criteria for assessing the value of open spaces. The quality-value assessment in the Audit provides information to help apply the policy in a more robust manner.
- 5.7. The first criterion in policy LC1 (a) is about deficiency. The Audit identifies several areas with no access to unrestricted greenspace at borough, neighbourhood and local levels, and it is clear that these areas are deficient in terms of the UDP. The Audit also identifies areas with relatively poor access to unrestricted greenspace and these are also considered to be deficient in UDP terms. This is reflected in the policies in this SPD. See Audit Figure 22.
- 5.8. Policies LC2-LC6 provide more specific policies on a range of types of open spaces and are also relevant to this SPD. Other policies about other types of open spaces, for example ENV19-24 on nature conservation will also be taken into account when considering relevant development proposals.
- 5.9. Much progress has been made in recent years towards creating and improving the greenway network under proposal LC5. In particular, some 48 km out of a total of about 93 km of canal towing paths have been improved in the last five years and the Council will encourage further improvements. There is some scope for developers to contribute to this, either as part of canalside developments and off-site contributions combined with funds from other sources, for example British Waterways, and major regeneration initiatives such as New Deal for Communities and Walsall Regeneration Company.

6. Developer Contributions

- 6.1. All types of residential development place some pressure on some Open Space, Sport and Recreation facilities in the borough. Policies OS1 – 3 below set out how development will be expected to contribute towards open space, sport and recreation provision in the borough of Walsall.
- 6.2. Although this SPD focuses on residential development, it does not preclude contributions in respect of other types of development.

Policy OS1: Qualifying Development

All types of residential development will be required to contribute towards the provision of all types of open space as set out in the following policies.

- 6.3. The UDP does not provide for any specific exception to policies GP3 and LC1 (d) about developer contributions, which are relevant to all residential development. If there is any reason to waive or alter the required contribution in respect of any particular development the onus will be on the developer to justify it; the Council will be flexible where sufficient justification is provided.

Policy OS2: Planning Obligations

The Council will negotiate Planning Obligations (Section 106 Agreements), which may include unilateral undertakings, to secure benefits in line with the UDP and this SPD with respect to developments of 10 or more dwellings.

- 6.4. The UDP does not set a threshold below which contributions will not be sought. However, UDP policy GP3 (a) says that planning obligations will be used “as appropriate”; a term which is not further defined. In the light of recent experience of delivering an improving Planning service the Council considers it appropriate to apply the policies in this SPD to developments of 10 or more dwellings. The Companion Guide to PPG 17 says at paragraph 9.13 that standards should be varied or waived for smaller developments.

Policy OS3: Scale of Contribution

(a) The scale of contribution required from qualifying development will be as set out at Annex C.

(b) The scale of contribution will be the same in all parts of the borough, subject to the Land Value Adjustment.

(c) The scale of contributions is set at 2005 prices and will be subsequently linked to inflation in the average house price in the borough of Walsall.

(d) On-site provision within a development will be taken into account when calculating any residual off-site contribution that may be required.

- 6.5. The calculation of the figures in Policy OS3 (a) is explained in Annexes C and D.

- 6.6. There are deficits in quantity, quality and/or accessibility in relation to all types of open space in all LNP areas, so contributions of equal value are necessary in all LNP areas. The usage of contributions may vary from area to area and a framework for this is set out in section 7 below.
- 6.7. Costs tend to change over time; usually increasing. House price indices are readily available and simple to apply. The Council produces a twice-yearly Private Sector Housing Report, which includes a review of house price inflation. As soon as reasonably practicable after the publication of each report, the scale of contributions will be adjusted and published in an update to Annexes C and D, which explain the calculation. A copy of Annex C in spreadsheet form accompanies this SPD.
- 6.8. Where a developer provides open space facilities of the required quality as part of their, such facilities would not be required elsewhere and the cost of provision will be offset against the overall contribution required. It may be the case that some developments will accommodate open space equivalent to the full requirement, but it is likely, in most cases, that there would be some residual requirement to contribute towards improvements off-site.
- 6.9. The contributions required by this SPD are independent of any other contribution towards the provision of other local facilities in line with the UDP or any other SPD.

7. How contributions will be used

Policy OS4: Local Standards for New Homes

- 7.1. The Audit measured the quantity and quality of green spaces around the borough. The overall amount for every 1,000 people is set out in Table 7.1 below. The Audit also identified particular shortfalls in Provision for Children and Young People and the quality of some parks and other spaces. The Council's Playing Pitch Strategy also identified shortfalls in quality of sports pitches, in particular poor ancillary facilities such as changing rooms and parking. These shortfalls or deficiencies are widespread and applicable to all LNP areas. The Council is therefore adopting the new standards and targets in respect of new residential development set out in Table 7.1. These standards apply equally to on-site and off-site provision, or a combination of on- and off-site provision, and are used to calculate the scale of developer contributions; see Annex A.

Table 7.1: Local Standards for New Homes

Type of provision (including restricted open space)	Current supply per 1,000 people	New local standard or target provision per 1,000 people
Children & Young People	0.2 Ha	0.2 Ha
Parks & Gardens	1.0 Ha	1.0 Ha (a)
Playing fields (including ancillary facilities)	1.6	1.6
Amenity space	0.5	0.4
Allotments	0.2	0.0 (b)
Natural & Semi-natural	3.7	0.0 (b)
Other	1.1	0.0 (b)
Overall	8.3	2.6

Notes

- (a) The Council intends to improve and maintain improvement to all parks & gardens. It should be noted that provision for children and young people is an important element of neighbourhood and other parks.
- (b) The emphasis will be on coping with increased pressure on existing provision.

- 7.2. The focus of spending will be on meeting the needs arising from new residential developments, either by creating new open spaces or by improving existing open spaces so they can cope with additional pressure. Where deficits are in quality rather than quantity the focus is likely to be on improving existing spaces. In other cases it may be more appropriate to provide new facilities, especially where new homes are taking the place of industrial areas, where there has been little or no provision in the past. Some new facilities might also be seen as improvements to larger open spaces, for example a new play facility or nature conservation area in a neighbourhood park.
- 7.3. In recent years more and more new homes have replaced older industrial properties and this is expected to continue and accelerate in the future. It will be all the more important in these new residential areas to ensure adequate provision is made.
- 7.4. The Green Spaces Strategy will provide more detailed guidance on specific projects that can benefit from developer contributions.

Children & Young People

- 7.5. The Audit survey identifies a considerable deficit across the borough in provision for children and young people; for example, table 4.2.5.2² says that 77% of households are too far from play facilities; 65.5% in the least deficient LNP area.
- 7.6. The Planning system does not provide for developers to make up for past shortfalls, so this will have to be achieved from other sources. Although PPG 17 (paragraph 8) indicates that setting local standards based on audits is a basis for addressing quantitative and qualitative deficiencies, Circular 11/95 (paragraphs 24 and 25) prevents planning conditions being used to require a development to rectify an existing deficiency and Circular 05/2005 says that S106 Agreements should relate to the development ("the necessity test"). However, there is no reason why new development should not provide for children and young people to an acceptable, modern standard. The standard encompasses a wide range of facilities; it is not limited simply to outdoor equipped play areas.

Natural and Semi-Natural Greenspace

- 7.7. The amount of natural and semi-natural greenspace to be provided is omitted from the standard, partly because it is not feasible to create large, new commons or nature conservation areas. However, more homes and more occupants means more pressure on these places, which requires more facilities and more robust paths, gates, styles and fences, for example. Therefore, a sum is added to the scale of contributions to fund much needed improvements and some increase in land area where appropriate. The costings are based on a programme of works for a representative sample of major sites.

Access for All

- 7.8. The Audit included detailed analysis of 21 sites of different types across the borough. It also identified a range of improvements that

² Addendum to Interim Report

could significantly enhance the experience of disabled people. Such improvements will also help to improve access for other people whose mobility is in some way limited, for example elderly people and people recovering from injury or illness. This is a borough wide issue. A further small addition is therefore made to the scale of contributions. Although the proportion raised towards access for all appears small, at up to 5%, when used to augment other funds the effect will be to open up a much larger proportion of open spaces in the borough.

Policy OS5: Use of Contributions

- 7.9. Section 4 sets out a hierarchy of open spaces to which developers will be expected to contribute at various levels.

(a) Contributions will be used according to the proportions set out in Table 7.3 below.

Table 7.3: Use of contributions within a hierarchy

Hierarchy	Range
Borough*	10 - 20%
Neighbourhood (LNP)	10 – 20%
Local	
General (inc. children & young people)	55 – 80%
Access for All	0 - 5%
* Sites in paragraph 4.10 above and other sites or facilities that can satisfy a borough wide need.	

(b) Funds collected towards set up will be spent as soon as reasonably practicable after receipt by the Council, but in any case within five years of receipt.

- 7.10. The ranges in table 7.3 will give some certainty as to where resources are likely to be used, with some flexibility to allow for small variations between LNP areas and to recognise some overlaps, such as some play areas being in neighbourhood parks.
- 7.11. The Audit considers greenspace. It may become clear that other types of open space can satisfy a borough wide need. This SPD leave open the opportunity for resources to be allocated to such needs.

Openness and Accountability

- 7.12. Government policy regarding Planning Obligations requires that contributions are fairly and reasonably related in scale and kind to the proposed development. To ensure this occurs, records will be kept that will provide a clear audit trail between developments, contributions and spending on projects.
- 7.13. The funds collected will be controlled by a dedicated bank account so that they cannot be confused with other funds.

- 7.14. The timescale in Policy OS5(b) above takes into account the sometimes lengthy delivery periods arising from pooling resources, obtaining grant aid, land acquisition and then construction or installation.
- 7.15. The Council will publish an annual report detailing the contributions received and the ways that they have been used; see section 8 below.

8. Monitoring and Review

Monitoring

- 8.1. The Council will monitor the implementation of this SPD and keep under review the need to revise it. The findings of such monitoring and review will be incorporated into the Annual Monitoring Report, published each December, which is part of the Local Development Framework, as required by the Planning Acts and Regulations.
- 8.2. Monitoring and review will be focused on the indicators in table 8.1 below.

Table 8.1: Indicators

1	Total funds collected in the year (1 st April to 31 st March).	The outturn will depend on how many homes are built, which varies from year to year.
2	How funds have been used, with reference to Table 7.3 above.	For openness and accountability.
3	House price inflation as published in the Council's Private Sector Housing Report.	To index-link the scale of contributions.

Note: a wide range of processes and activities are already monitored for the Annual Monitoring Report, such as granting of planning permission, building of homes, and loss of open spaces to development.

- 8.3. The average house price in Walsall quoted in the Private Sector Housing Report for September 2005 is £132,267.

Review

- 8.4. The appropriate mechanism assessing when to review this SPD will be the Annual Monitoring Report for the Local Development Framework. This will take into account any monitoring of the implementation of this SPD (table 8.1 above) and a range of other factors as required by the Planning system.

9. Quality and Value

9.1. Based on matrix in Audit table 9.1.

High Quality / Low Value	High Quality / High Value
<i>Site Options</i> - Maintain the quality. Undertake further assessment on the value with the aim of enhancing its present primary purpose. Consider if it would be of high value if converted to other primary purpose. Change of use is only acceptable if the options above are not achievable.	<i>Site Options</i> - Maintain the quality. Protect the site through planning process
Low Quality / Low Value	High Value / Low Quality
<i>Site Options</i> – Enhance the quality as long as it is also possible to enhance the value. Assess primary purpose as the site could be surplus to requirements in terms of its present primary purpose.	<i>Site Options</i> - Raise the site quality to meet the required standard. Protect the site through the planning process

9.2. Audit Table 10.1 lists the sites that fall into the four categories above. The Council agrees with the quality – value analysis and Policy OS6 is based upon it.

Policy OS6: Quality and Value

(a) All sites of High Quality and/or High Value will be given the highest degree of protection consistent with the UDP.

(b) The Council will direct resources towards enhancing the value of High Quality / Low Value sites and the quality of High Value / Low Quality sites.

(c) The Council will protect and improve Low Quality / Low Value sites where they can contribute to redressing deficiencies. If such sites are not capable of redressing any deficiency and are otherwise surplus, the Council will consider alternative uses.

(d) Prior to releasing sites that have not been subject to the GSS quality-value analysis for alternative use the Council will expect prospective developers to have carried out a quality-value analysis consistent with the Green Spaces Strategy.

9.3. All open spaces are protected by UDP Policy LC1, subject to a range of criteria. However, there are circumstances in which open spaces may be developed or reallocated to alternative uses, for example if there is a surplus or if compensatory provision will be made. The Audit quality-value analysis is objective and provides additional evidence to guide planning decisions. The Audit shows that that about 35% of households have access to low quality low value spaces.

- 9.4. Policy OS6 must also be applied consistently with national policy in PPG 17, in particular paragraphs 10 and 15 regarding development of open spaces and playing fields respectively.

10. Provision for Children and Young People

- 10.1. This includes children's play areas, multi-use games areas, skateboarding facilities and teen shelters.
- 10.2. The Council will expect all new play equipment to meet a minimum specification. In many places such equipment has been damaged by inappropriate use and vandalism. Local experience has shown that some types of equipment are better suited to local conditions. The Council will not therefore accept the provision of children's play equipment that it considers inappropriate to local circumstances.

Policy OS7: Minimum Specifications

(a) Minimum specifications for a range of facilities are set out in Annex E.

(b) Developers providing such facilities on-site or in-kind must, before planning permission is granted, satisfy the Council that the facility will be installed and maintained to the minimum specification for at least 10 years.

(c) Developers wanting the Council to adopt or install such facilities must, before development shall commence, provide the Council with sufficient funds to install and maintain them to the minimum specification for at least 10 years.

- 10.3. In previous developments around the borough, facilities for children and young people have been provided as a late or last phase of development. This has led to some nearby residents complaining that they were not aware of the level of disturbance they would cause. This could be avoided if facilities were provided and made available at the earliest possible stage. Early availability would also provide a safe alternative to playing on building sites.

Policy OS8: Phasing of On-site Provision for Children and Young People

Where a children's play area or MUGA or other facility for children and young people is to be provided as part of a residential development it must be completed and made available for use prior to the opening of any showhome or the occupation of any home, whichever is the earlier.

ANNEX A: Quality and Value Analysis: Methodology

A summary of the methodology set out in the Audit and Assessment Report.

Quality

Criteria used

In total 200 sites were identified to be assessed against the criteria derived from the national standard for greenspace quality, the Green Flag Award.

Whilst the Green Flag Award contains both desk and field research, this project was limited to site based assessments. Thus the final scores should not be read as the site's score against the Green Flag Award.

The key criteria for the Green Flag Award are shown below;

- A Welcoming Place
- Healthy, Safe and Secure
- Clean and Well Maintained
- Sustainability
- Conservation and Heritage
- Community Involvement
- Marketing
- Management

Under these eight key criteria are 27 field assessment criteria. Of these 19 can be judged on site without reference to a Management Plan or other documentation, and are listed below;

A Welcoming Park

- Welcoming
- Good and safe access
- Signage
- Equal access for all

Healthy, Safe and Secure

- Safe equipment facilities
- Personal security in park
- Dog fouling
- Appropriate provision of facilities
- Quality of facilities

Clean and Well Maintained

- Litter and waste management
- Grounds maintenance and horticulture
- Buildings and infrastructure maintenance
- Equipment maintenance

Sustainability

- Arboriculture and woodland management

Conservation and Heritage

- Conservation of natural features, wild fauna and flora
- Conservation of landscape features
- Conservation of buildings and structures

Marketing

- Provision of appropriate information
- Provision of appropriate educational interpretation/information

Scoring of criteria

Each individual criterion was scored out of 10 and a site score derived from the total of all the criteria scores divided by the actual number of criteria scored. Criteria that did not apply to a particular site – e.g. conservation of buildings on a site that had no buildings on it – were scored as not applicable and were therefore not included in the total score or average calculations. The maximum score available was therefore 100 for each site.

Value

Introduction

Community First Partnership and Scott Wilson have developed a detailed methodology for assessing value of greenspace. The methodology for the value assessment draws upon the guidance in “Assessing Needs and Opportunities” (the companion guide to PPG17) and is summarised below.

Factors and criteria

Three factors suggested in PPG17 were used and the criteria revised for assessing these along with a new scoring system to produce a more even emphasis on each factor. A fourth factor was added to take into account the role of open space networks and wildlife corridors.

The table below shows the relationship of factors and criteria:

Reference	Factor	Reference	Criteria
A	Context	A1	Accessibility of greenspace site
		A2	Proximity to other greenspaces
		A3	Quantity of unrestricted greenspace per 1000 population
B	Level and type of use	B1	Hierarchy of greenspace
		B2	Level of use (derived from the household survey)
C	Wider benefits	C1	Ecological benefits - designations
		C2	Education benefits – provision of information & proximity to schools
		C3	Social inclusion – relative deprivation and community involvement
		C4	Cultural and heritage benefits – designations / listings and local significance
D	Open Space Networks	D1	Wildlife benefits – wildlife corridors
		D2	Linear Open Space - greenways

All four Factors were equally weighted.

The value assessment methodology generates a score out of 100 for use in the quality value matrix. The quality score is also out of 100 so a useful relationship of scales can be constructed.



Walsall Council

Walsall Unitary Development Plan

As adopted by the Council on 7th March 2005

Extracts about
Open Space, Sport & Recreation

Policy GP3: Planning Obligations

- (a) These will be used, as appropriate, to secure the provision of any on or off-site infrastructure, facilities, services or mitigating measures made necessary by a development; ensure the implementation of an agreed phasing scheme; or otherwise ensure that development takes place in a satisfactory manner in accordance with the policies of the Plan.**
- (b) The Council will, in particular, use such obligations to secure additional or improved transport infrastructure; open space and recreational provision; measures for wildlife protection; enhancement and creation (or a mix thereof); forestry planting; utility services, including drainage works; affordable housing provision; community safety schemes; education facilities; healthcare facilities; and other forms of social and community infrastructure.**
- (c) Negotiations with developers will be based on the principle that the benefits to be secured should be necessary, relevant to planning, directly related to the proposed development, and fairly and reasonably related in scale and kind to the proposed development.**
- (d) Where a choice can be made between the use of planning conditions and planning obligations for the achievement of a given purpose, the Council will normally attach conditions in preference to the use of obligations.**

2.19 Section 106 of the Town and Country Planning Act 1990 (as amended) enables developers to give unilateral undertakings, or local authorities to reach agreements with developers, for certain works etc. to be carried out in association with a development. Government guidance in Circular 1/97 indicates that such obligations should be necessary, relevant and directly related in scale and kind to the proposed development. They may be required, for example, to:

- Enable the development to proceed.
- Secure related infrastructure and facilities.
- Secure the appropriate balance of uses, for example within mixed use developments.
- Offset or redress the on-site or off-site impacts of the development.
- Secure a higher quality development.
- Secure maintenance.
- Secure the reuse of historic buildings.

2.20 Planning obligations will be particularly useful where developments will generate or increase the need for additional infrastructure, facilities or services or require public bodies to bring forward plans for improvements. In such cases the development should normally bear the full cost of doing that which would not otherwise have been necessary at the time. More specific reference to the use of planning obligations is included in other chapters of

the Plan. In some situations, a development may be required to fund a number of related infrastructure improvements.

URBAN OPEN SPACES

Policy LC1: Urban Open Spaces

- (a) **The Council will seek to retain and enhance existing urban open spaces and redress any deficiencies in the provision or accessibility of these. Proposals for development which would result in the loss of, or otherwise adversely affect, urban open spaces will not be permitted unless it can be demonstrated that none of the following functions would be prejudiced:-**
- I. Redressing or avoiding deficiency.**
 - II. Providing for sport and recreation, both formal and informal.**
 - III. Providing for children's play.**
 - IV. Buffering incompatible land uses.**
 - V. Defining community boundaries.**
 - VI. Accommodating greenways and other pedestrian and cycle routes.**
 - VII. Providing for allotment gardens.**
 - VIII. Contributing to biodiversity.**
 - IX. Contributing to the urban forest.**
 - X. Contributing to visual amenity.**
 - XI. Achieving local community aspirations.**
- (b) **When considering proposals which would result in the loss of, or otherwise adversely affect, urban open spaces, the Council take into account any compensatory provision that is proposed. This might take the form of replacement area(s) of open space or the improvement of existing open spaces in the area.**
- (c) **Urban open spaces of 0.4 hectare or larger are shown on the Proposals Map, but this policy also applies to smaller areas of open space (including public spaces in the Town, District and Local Centres) which fulfil any of the functions of urban open spaces identified in part (a) of the policy.**
- (d) **Residential developments will be required to make financial or other contributions which will enable the provision of new, or the improvement of existing, urban open spaces.**

8.15 Urban open spaces are important and valued because they can be used for a range of functions which enhance our quality of life. Some form focal points or links along popular pedestrian routes, and those which are busy and used for a variety of purposes are usually perceived to be safer, more comfortable places. As well as green spaces, urban open spaces can include water areas and paved areas such as squares and pedestrianised streets within centres.

8.16 The aim of paragraph 8.3 of the Strategic Policy Statement is to ensure that people have easy access to open spaces which provide for as wide a range of amenities as possible, and are encouraged to use them because they are conveniently located, attractive, stimulating and safe. The Council will continue to work with local communities and others, to create a sense of ownership so that urban open spaces are respected, well maintained and well used.

8.17 Policy LC1 will ensure that urban open space is protected from loss to inappropriate development. The onus will be upon prospective developers to demonstrate that there would be no adverse effect in terms of the various functions which urban open spaces fulfil. In some circumstances, the loss of an open space may be considered acceptable if compensatory provision is to be made, either in the form of replacement open space or through the enhancement of existing open space in the area. To enable the assessment of open space needs at the local level, the Council will publish a Supplementary Planning Document, which will set local standards for all types of open space, in accordance with PPG17. The standards will address quantity, quality and accessibility and will be used to guide decision-making on development proposals and the use of resources, including developer contributions and commuted sums.

8.18 Where feasible, the Council will seek the provision of additional urban open spaces to redress deficiencies and/or the enhancement of existing urban open spaces, for example, by increasing the range of facilities or improving accessibility. In practice, resources are likely to be focused on improving existing open spaces rather than creating new ones.

8.19 The following policies LC2 – LC6 provide additional guidance for specific types of urban open space.

INDICATOR

The protection and improvement of urban open space will be monitoring indicators for the UDP. The Council will assess:-

- The extent to which existing urban open spaces have been protected from inappropriate development. The target for this will be 100%
- The extent of provision of any additional urban open spaces. The target will be at least 24 hectares over the Plan period.

Proposal LC2: Proposed Open Space

The following sites are proposed as additional areas of open space, as shown on the Proposals Map:-

	<u>Hectares</u>
Moxley Tip, Moxley	7.75
Beatwaste site, Bentley Lane, Willenhall	10.87
Land at Goscote Road, Pelsall	6.27
Land North of Hughes Road, Moxley*	1.55

Site LC2.1 will be protected under Policy LC1. Sites LC2.2 and LC 2.3 are in the Green Belt and will be protected by Green Belt policies (see Policies ENV1-ENV3).

With possibility of housing on part (see paragraph 8.22).

8.20 Sites LC2.1 - LC2.3 are carried forward from the 1995 Plan as proposed new areas of urban open space. Planning permission has already been granted for LC2.1 and planning applications are under consideration for the other two sites. The proposals for sites LC2.1 and LC2.2 both envisage a combination of public open space and formal commercial leisure facilities. Both sites suffer from very poor ground conditions and require substantial remediation works before being opened up for public access.

8.21 Site LC2.3, at Goscote Road, is linked to the adjacent residential development (see Proposal H2 in Chapter 6). The Council will seek a planning agreement to secure the laying out of this land for open space and nature conservation as part of the wider Goscote Valley project.

8.22 Land for public open space and possible housing is proposed to the north of Hughes Road, Moxley. Ground gas monitoring should take place for a minimum of two years to determine whether levels are sufficiently low to enable development to proceed. If this proves to be possible, the mix of uses within the site will be determined by the land contamination study and remediation measures and the extent of noise buffers required to mitigate the effects of the adjacent industrial premises and the Black Country New Road. Access to the site should be from Hughes Road. The future of the existing play area should be discussed as part of the development proposals.

Policy LC3: Children's Play Areas

- (a) Wherever feasible, there should be a local equipped play area within easy and safe walking distance of family dwellings. Existing children's play areas will be normally protected and, where appropriate, improved. Proposals which would involve the loss of children's play areas will only be considered favourably where it is demonstrated that this would not cause or exacerbate any deficiency.**
- (b) The siting and design of new facilities for children's play should have regard to the need for safety and supervision of young children and to safeguarding the amenity of nearby residents.**

8.23 Some parts of the Borough are less well provided for than others. A review is to be undertaken which will identify areas where further provision is required and where alternative uses might be sought for some existing Children's Play Areas. Application of policy LC3 will be guided by that review.

8.24 Some children's play areas are provided by organisations other than the Council, and those which are available for public use will also be covered by Policy LC3. Children's play facilities which are ancillary to other uses and not available for general public use (e.g. those provided for customers' children at pubs) are not subject to Policy LC3.

Policy LC4: Allotment Gardens

Proposals involving the loss of allotment gardens will not be permitted unless it is demonstrated that this would not result in unmet demand for allotments within reasonable walking distance. The importance of some allotment sites for nature conservation and the general amenity of adjacent residents will also be taken into account. The provision of additional allotment sites will be encouraged in areas where there is increasing demand.

8.25 The Council has a statutory obligation to retain allotments designated under the Allotments Acts. However, patterns of demand have changed so that some allotments are underused whilst others have waiting lists. Allotments, in addition to their primary function, often have wildlife and general amenity value and this will be taken into account when evaluating development proposals.

Proposal LC5: Greenways

- (a) The Greenway network, as shown on the Proposals Map, will continue to be created, enhanced and safeguarded. Priorities will be:-**
 - I. Greenways which form part of the National Cycle Route and Safe Routes to Schools.**
 - II. Improving access to open spaces and the countryside.**
 - III. Areas of low car ownership.**
- (b) The design of Greenways should take account of community safety objectives (see Policy GP7) and avoidance of potential nuisance to adjoining residents. Greenways will not be permitted in close proximity to existing or proposed rail lines if this would be prejudicial to safety or rail operational / design requirements.**
- (c) Developers of sites which include or adjoin parts of the Greenway network will be expected to fund the construction or improvement of these, together with any necessary links from the Greenway network into the development. Management and maintenance agreements, which specify responsibilities and revenue sources, must be concluded before development commences.**
- (d) Development which would sever or narrow an existing or proposed Greenway will not be permitted.**

8.26 The main purpose of the Greenway network is to provide safe, attractive, continuous routes which are, as far as possible, separate from the highway network and link built up areas to open spaces and the countryside. Although Greenways are primarily intended for leisure and recreation purposes, some sections may also be useful for utility journeys. Wherever feasible the Council will seek to ensure that Greenways will link up with routes in neighbouring districts.

8.27 The Greenway network shown on the Proposals Map distinguishes between those routes that already exist and other routes to be provided in the future. Although most of the routes shown are off-highway, it has been necessary in a few instances, where no alternative exists, to show links using relatively quiet roads. The network will take considerable time to implement in full. In the meantime, it will be essential to safeguard the network from development which would sever it.

8.28 Greenways intended for utility trips (e.g. by commuters, shoppers or children going to school) should be safe and secure for use throughout the day. In particular, they should be well lit, and have sufficient access and exit points to make them useful and safe.

INDICATOR

The length of new greenways constructed will be a monitoring indicator. The target will be to construct at least another 10 miles up to 2011.

SPORT AND RECREATION

8.29 Sport and recreation facilities make an important contribution to urban living by enabling people to enhance their health and fitness, have fun and socialise. It is important that they are easily accessible by public transport, walking and cycling so that everyone can use them (see paragraph 8.5 of the Strategic Policy Statement).

Policy LC6: Sports Pitches

Proposals which would result in the loss or reduction of sports pitches, public or private, will only be permitted if it can be demonstrated that:

- I. A carefully quantified and documented assessment of current and future needs has demonstrated that there is an excess of sports provision and the site is not of good quality or importance to the development of sport; or**
- II. At least equal compensatory provision will be made in respect of quality, quantity, suitability of location, and subject to equivalent or better management arrangements prior to the commencement of development.**

8.30 The aim of Policy LC6 is to maintain the current level of sports pitch provision which is the base upon which improved facilities can be developed in the future through the implementation of the Sport and Recreation Strategy.

8.31 Where compensatory provision is to be made this should be like for like replacement. In certain circumstances, where such provision is inappropriate, enhancements of nearby facilities may be considered or other new sports facility provision meeting an identified need may be secured. When considering compensatory provision other than like for like replacement, the Council will be guided by the facilities planning model of Sport England, the Council's playing pitch assessment and the Council's sport and recreation strategy.

8.32 The Council will encourage the fullest use of sports pitches and will not permit loss of pitches simply because a pitch has been allowed to fall out of use or become derelict.

8.33 The DfES, through the School Premises Regulations, sets out standards for playing pitch provision at schools and these will be taken into account when considering development proposals. Consideration should be given to the potential for surplus school playing fields to meet the identified needs of the local community.

ANNEX C: Calculation of Contributions

Calculation of the scale of contribution is a matter of simple arithmetic. The underlying costs and the calculation for a typical development are set out in Annex D.

Site Address	An Example	
Local Neighbourhood Partnership No. (from list below)	5	Palfrey & Pleck
Application Number		

Details of Development	Bedrooms	Dwellings	Total bedrooms
	1	8	8
	2	12	24
	3	30	90
	4	14	56
	5	6	30
	6	0	0
		70	208
Rate per person		£	966.35
Occupancy rate			83.4%
Average rate per bedroom		£	806.00

Land Value Adjustment

Local Neighbourhood Partnership	Adjustment	Per Bedroom	
1 Aldridge South & Streetly	43.0%	£ 1,153.00	
2 Blakenall & Bloxwich	-15.0%	£ 685.00	
3 Brownhills & Aldridge North	4.0%	£ 838.00	
4 Darlaston	-14.0%	£ 693.00	
5 Palfrey & Pleck	-19.0%	£ 653.00	£ 653.00
6 Pelsall & Rushall-Shelfield	8.0%	£ 870.00	
7 Pheasey & Paddock	20.0%	£ 967.00	
8 St Matthews & Birchills Leamore	-13.0%	£ 701.00	
9 Willenhall	-14.0%	£ 693.00	
Walsall Average	0.0%	£ 806.00	
Total Commuted Sum *		£ 135,824.00	

* The relevant per bedroom rate for the LNP multiplied by total bedrooms in the development.

This sheet is designed to be used in spreadsheet form. It will be available to download from the Council's website and to use to calculate the requirement for proposed developments.

ANNEX D: Explanation of Costs

The costs used to derive the scale of contribution in Annex C are based on local experience of the cost of providing open space facilities. These costs are applied to the standards set out on Table 7.1 to estimate what it would cost to provide Open Space, Sport and Recreation facilities at that level.

The set up or installation costs related to new spaces or improvements are combined with maintenance costs to arrive at an overall figure. Set up costs includes project design and management. The costing components are set out in Table D1 below.

Table D1: Costings

Type of provision (including restricted open space)	Standard (Ha / 1,000 people)	Set up (£ / 1,000 people)	Maintenance (10 years) (£ / 1,000 people)	Overall cost (£ / 1,000 people)
Children & Young People	0.2	£235,382.00	£163,810.00	£399,192.00
Parks & Gardens	1.0	£78,430.00	£41,000.00	£119,430.00
Playing fields (including ancillary facilities)	1.6	£144,256.00	£36,800.00	£181,056.00
Amenity space	0.4	£31,372.00	£9,200.00	£40,572.00
Allotments*	0.2	£15,686.00	£4,600.00	£20,286.00
Natural & Semi-natural*	2.0	£5,750.00	£180,000.00	£185,750.00
Access for All*	2%	£621.00	£19,440.00	£20,061.00
Overall		£511,497.00	£454,850.00	£966,347.00
Total cost per person				£966.35

* Mainly improvements rather than new spaces.

ANNEX E: Minimum Specifications

Below is a basic specification for three different categories of children and young person's outdoor recreational provision, these are 'play area', 'Multi-use Games Area' and 'Wheeled Sports' area. This is not intended to be a comprehensive list. Further specifications will be prepared in respect of an increasing range of facilities to guide the preparation of Section 106 Agreements.

It should be noted that as new equipment becomes available, and lessons are learned from experience, specifications are likely to change from time to time. These are the current specifications operated by Walsall Council at the time of publication for just three aspects of open space provision. The Council will base decisions on the specifications that are current at the time.

Play Area

This provision is aimed to reach and exceed the standards laid down by the National Playing Fields Association (NPFA) as described in the six acre standard; the provision is to reach 'Local Equipped Area of Play' or LEAP.

Given the experience the authority has in providing such sites, further local conditions are as follows:

- Area of site, enclosed by fencing to exceed four hundred square metres.
- Perimeter fencing to be of 1 metre high bowtop steel, galvanised and powder coated with no fewer than two self-closing entrance gates of at least 1 metre width.
- Site to be accessible in respect of the Disability Discrimination Act.
- Safer surfacing to be laid in accordance with BS: EN 1176 & 1177, and to be of E.P.D.M. wet-pour rubber installed onto a base of either 'no fines' concrete or open textured bitmac basecourse.
- Equipment to include the following items:
 - Set of 1.8m high toddler swings
 - Set of 2.4m high junior swings or cantilever group swing.
 - Carousel
 - Seesaw
 - Multi – climber
 - Rocking mobiles
 - Bench seat with back & armrests
 - Litter bin.

There will be a list produced of the manufacturers and specific equipment deemed to be suitable, this will be updated on an annual basis, however developers may propose alternative equipment by arrangement with the council.

Multi Use Games Area

This provision is aimed to reach the impending European standard, due in 2006. At the time of writing the Standard to be adopted is BS P.A.S.30

The equipment shall be installed on a suitable base of tarmacadam construction, with the surface marked indelibly to delineate pitches for five a side football and basketball. There shall be two opposing goal ends, including football, basketball and cricket provision. Side fencing of not less than 1 metre height shall be incorporated; with at least two access and egress points. The overall dimensions will be of approximately 12 metres wide by 20 metres long.

Wheeled Sports Area

Like the multi use games area, the standard is currently a BS P.A.S. In this instance P.A.S. 35.

The equipment is to be installed on a suitable tarmacadam base, and shall consist of two opposing quarter pipe ramps, a fun box and two grinder rails.