

RECREATIONAL OPEN SPACE PROVISION AND COMMUTED PAYMENTS

• Introduction

This topic paper has been prepared to explain how the Council will apply planning obligations, in respect of the provision and maintenance of recreational open space associated with new residential development schemes.

The national planning framework for the development of sport and recreation is set out in Planning Policy Guidance Note 17. The PPG emphasises that the planning system must ensure that adequate land for organised sport and informal recreation is provided to meet people's needs. It also states that sports and recreational facilities may be provided in conjunction with development schemes, and that the facilities may be secured by a **planning obligation** or the voluntary payment of a commuted sum.

As part of research into providing formal and casual open space in the borough, the Council has adopted several policies in its Unitary Development Plan Review. The aim is to maintain and provide more areas of recreational open space to serve the borough. The relevant policy for planning obligations involving commuted payments for new housing developments is **Policy L1.3** (see related link). In addition, the Council has also adopted Supplementary Planning Guidance for '[Recreational Open Space Provision and Commuted Sum Payments](#)', where more detailed information can be found on how the policy will be applied (see related link).

• Applying Policy L1.3

The Council expects developers of new housing to make adequate provision for, and the maintenance of, both formal and informal children's recreation on site where practicable. However, as many residential developments will be small in scale, it is either impractical or unreasonable for a developer to provide useful areas of open space on site. In this case, the Council expects developers to contribute financially towards providing some or all of the recreational open space off site either through a S106 Planning Obligation, or a cash transaction prior to the application being approved.

You can use the following table as a guideline to establish which form of recreational space may be needed for each of the residential development categories in Policy L1.3.

CATEGORY	CHILDREN'S		FORMAL	MAINTENANCE	
	LOCAL AREA OF PLAY 'ON SITE'	LOCAL AREA OF PLAY 'OFF SITE'		CHILDREN'S	FORMAL
fewer than 50 population	No	Yes*	Yes	Yes*	Yes
between 50–100 population	Yes*	Commuted sum payment for any residual Local Area of Play required off site	Yes	Yes*	Yes
more than 100 population	Yes*	Commuted sum payment for any residual Local Area of Play required off site	Yes*	Yes*	Yes*

* Subject to the tests contained in Policy L1.3.

• Use of funds

The Council will require financial contributions only when:

- they are fairly and reasonably related in scale and kind to the development proposal; and

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- the contributions would secure facilities close to the new development and easily accessible by its occupiers; and
- the facilities would directly benefit those occupiers.

Clearly, some commuted payments would not be adequate to bring about immediate improvements, so the Council will set up a holding fund. As soon as an adequate sum has been collected, the Council will use the money to improve facilities. The Council will refund any money that remains unspent after 8 years from the date of payment.

- **Outline planning applications**

For planning applications where the number and type of dwellings/occupancy are unknown, such as in outline planning applications, the Council would automatically reserve the requirement for providing open space and recreational facilities, using a planning obligation. This would be resolved when a detailed application was made.

- **Model draft S106 Planning Obligations**

The Council has produced a standard model draft S106 Planning Obligation template, which can be used for the agreed payment of the required commuted sum. (see related links).