

URN: 22-279

Subject: Open Space Supplementary Planning Document

Report to: Policy and Resources Committee – 7 February 2023

Report by: Nick Fountain, Principal Strategic Planner

SUBJECT MATTER

Open Space Supplementary Planning Document.

RECOMMENDATIONS

That Policy and Resources Committee adopts the Open Space Supplementary Planning Document.

1. Introduction

- 1.1. Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on policies in an adopted Local Plan. They do not form part of the 'Development Plan' but are a material consideration in the determination of planning applications. The Open Space SPD will provide guidance for developers to meet the open space requirements set out in Policy H4 of the Local Plan Part 2. The document includes a guide to explain when on and off-site provision of open space will be required and how much it will cost.
- 1.2. The Town and Country Planning (Local Planning) Regulations 2012 require two stages of consultation during the preparation of a SPD. The first initial draft consultation took place between 2 August 2022 and 26 September 2022. Following endorsement on the final draft Open Space SPD by this Committee on 8 November 2022, a consultation took place over a period of four weeks between 25 November 2022 and 23 December 2022. The consultation responses have been reviewed, and final necessary changes made to the document.
- 1.3. The SPD was considered and endorsed by the Local Plan Working Party on 24 January 2023. Subject to endorsement by the Policy and Resources Committee, the Open Space SPD can be adopted to support the Local Plan.

2. Final Open Space SPD for adoption

- 2.1. Through the final draft consultation, the Open Space SPD had responses from 10 individuals/organisations, most of which contained multiple representations to be considered. A Consultation Statement is attached to this report setting out what comments were made and how they have been addressed. The following changes have been made to the final version SPD:
 - Reference to the Lead Local Flood Authority's guidance
 - Reference to the Broads Authority

- Clarifying when and how on/off-site accessible natural green space will be required
 - Typographical & formatting errors corrected
- 2.2. In addition to these changes, the heading of section 2 has been clarified as relating to 'on-site' open space, replacing 'thresholds' as the title. A final paragraph within this section has also been added to ensure that when submitting a planning application, a plan is provided clearly showing the areas that are to be considered as 'public open space'. Such requirement can also be picked up within the Validation Checklist.
- 2.3. No representations were made in respect of the Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Regulations Screening Assessments, which was also subject to consultation. This means that the Council can adopt the Screening Reports to meet the relevant SEA and HRA regulations.
- 2.4. Overall, the proposed amendments from that of the final draft document are relatively minor.

3. Financial Implications

- 3.1. The SPD will support applicants and developers in meeting the open space requirements which will include paying contributions for off-site provision and maintenance. The SPD also sets out broadly how such contributions will be spent including compliance with national restrictions on planning obligations. It is important to note, however, that these requirements are not new as they are already established in the Local Plan.

4. Risk and Legal Implications

- 4.1. SPDs build upon and provide more detailed advice or guidance on policies in an adopted local plan. They do not form part of the 'development plan' but are a material consideration in the determination of planning applications. There is also a requirement to ensure compliance with the Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Regulations; accordingly the SPD has been 'screened out' as having no significant effects on both accounts.

5. Conclusion

- 5.1. The Open Space SPD provides guidance for applicants and developers to help ensure that the open space requirements will be met through residential development. The SPD will be a material consideration in planning applications where open space provision is required as part of residential development.
- 5.2. It is recommended that Policy and Resources Committee adopt the Open Space Supplementary Planning Document included in Appendix A.

6. Appendices

A. Open Space SPD

B. Open Space SPD Consultation Statement

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	n/a
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Part 1: Core Strategy, Local Plan Part 2
Financial Implications (including VAT and tax):	See section 3
Legal Implications (including human rights):	See section 4
Risk Implications:	n/a
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a

Open Space Supplementary Planning Document (SPD)

Adopted February 2023



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1. Introduction

- 1.1. The purpose of this guidance document is to provide further detail to support Policy H4 - Open space provision for new housing development, of the Local Plan Part 2, in the form of a Supplementary Planning Document (SPD). This document therefore sets out how open space requirements will be met in respect of the:
 - open space surpluses and deficits across the Borough
 - thresholds at which open space will apply on or off-site
 - contribution requirements
 - method of collection
 - spending of off-site contributions
 - design/form of open spaces
- 1.2. The Local Plan Part 2, Policy H4 sets out the requirements for open space provision on new housing development. The policy is flexible in allowing on and off-site provision for open space, as well as the potential for variation from the standard requirements where this is justified. This policy is set out in Appendix 1. The policy considers open space at a Borough-wide level and therefore the guidance contained within this SPD may be relevant in the Broads Authority area.
- 1.3. Net new residential development, for the purpose of the policy comprises housing which includes Use Class C2 (residential institutions), Use Class C4 (Houses in Multiple Occupation (HMO)), park homes/caravans and Sui Generis residential accommodation (including large HMOs) in addition to the standard C3 Use Class 'dwelling house'. Other than standard C3 Use dwellings, the exact need will be calculated per 6 bedspaces, which is considered to be equivalent of a single dwelling. For the purposes of this document, holiday lets and holiday accommodation are not considered to be a residential use as they do not cater for permanent occupancy.
- 1.4. In accordance with policy H4, all new residential development will be required to contribute to open space provision where there is an identified deficit in provision. The needs for each type of open space will vary across the Borough according to the location of development. A full '**Open Space Needs Assessment**' has been undertaken to identify the level of provision across the entire Borough's Wards (including those parts within the designated Broads Area) and any deficits or surpluses against the standards set out in Policy H4. The Assessment will therefore be used to determine where open space provision is required, including enhancements to existing sites.
- 1.5. In accordance with Policy H4, the Open Space Needs Assessment includes assessment of the following categories of open space:
 - Formal play space
 - Informal amenity green space
 - Allotments
 - Parks & gardens
 - Accessible natural green space

- 1.6. On some developments, particularly those that are large (such as 250+ dwellings) or close to National Site Network designated habitat sites, enhanced Green Infrastructure (GI) may be required as part of the mitigation package in accordance with Policies GSP5 and GSP6 of the Local Plan Part 2. Such space will usually form part of the accessible natural green space provision or informal amenity green space.
- 1.7. Appropriate consideration must also be given to creating inclusive areas of recreational open space, including children's play spaces, that can accommodate those with disabilities. Simple design solutions can positively contribute to meeting this need for example, wheelchair accessible gates, wide pathways, benches to rest, inclusive play equipment, sensory areas and/or quiet breakaway areas. Further guidance may be obtained online (www.inclusiveplay.com or www.kids.org.uk).
- 1.8. Outdoor sports provision is assessed in the emerging Playing Pitch Strategy which sits alongside the Open Space Needs Assessment.
- 1.9. It is worth noting the clear exemptions from publicly accessible open space such as private gardens, beaches, churches/graveyards, waterbodies, schools (except where playing fields are in use for wider-community sports activities).

Open space surpluses and deficits

- 1.10. The below table has been informed by the Open Space Needs Assessment which has assessed the quantity (provision), quality and accessibility of each type of open space. Where a deficit is identified within a Ward, there is a requirement in line with Policy H4 to provide new space or enhance an existing space. Where a surplus is identified, there is no requirement to provide or contribute to new spaces (or enhance existing spaces). The table can therefore be used to work out which types of open space will be required as part of new residential development by Ward.
- 1.11. Flexibility will be required when assessing planning applications where a development site is close to or adjacent to another ward, parish or settlement.

Table 1 - Open Space Needs by Ward

Ward	Outdoor Sport	Formal Play Space	Informal Amenity Green space	Allotments	Parks & Gardens	Accessible Natural Green space
Bradwell North	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
Bradwell South & Hopton	Deficit	Deficit	Deficit	Deficit	Deficit	Surplus
Caister North	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
Caister South	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
Central & Northgate	Deficit	Deficit	Deficit	Surplus	Deficit	Deficit
Claydon	Deficit	Deficit	Deficit	Surplus	Deficit	Deficit

Ward	Outdoor Sport	Formal Play Space	Informal Amenity Green space	Allotments	Parks & Gardens	Accessible Natural Green space
East Flegg	Deficit	Deficit	Deficit	Surplus	Deficit	Surplus
Fleggburgh	Deficit	Deficit	Deficit	Deficit	Deficit	Surplus
Gorleston	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
Lothingland	Deficit	Surplus	Deficit	Deficit	Deficit	Surplus
Magdalen	Deficit	Deficit	Deficit	Surplus	Deficit	Deficit
Nelson	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
Ormesby	Deficit	Deficit	Deficit	Deficit	Deficit	Surplus
Southtown & Cobholm	Deficit	Deficit	Deficit	Surplus	Deficit	Surplus
St Andrews	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
West Flegg	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit
Yarmouth North	Deficit	Deficit	Deficit	Surplus	Surplus	Deficit

- 1.12. Outdoor sport is based on an assessment of the Sport, Play & Leisure Strategy (2015) findings which will be superseded by the Playing Pitch Strategy which is currently being prepared. It is anticipated that the findings will be similar, but they could be subject to change.
- 1.13. The surplus in formal play space within Lothingland should be treated with caution. The margin of need is such that the planned new housing allocation (Site Policy BN1) will take the Ward into a deficit if play space is not delivered as part of that development.
- 1.14. The Borough Council will need to monitor open space to the required standards to update the surpluses and deficits of each Ward to reflect the most up to date condition. Clearly, this cannot be achieved in real time as such changes and the delivery of new space is likely to change gradually. Accordingly, the Open Space Needs Assessment should be refreshed over 3-5 years.

2. On-site provision

- 2.1. Open space provision required by Policy H4 will be delivered through a combination of on and off-site provision. The policy does not set a specific threshold for on-site provision versus off-site provision but indicates that for developments of 20 dwellings and above, the children's play space element should be provided on-site. This acknowledges that in most cases it will not be appropriate to deliver on-site public open space on smaller developments of less than 20 dwellings as the open spaces would have little value at such a small scale. This does not, however, preclude developers from providing private/shared gardens, natural features and other green spaces as part of a development. Such features are encouraged; but will not count towards the provision of public open space in accordance with Policy H4.
- 2.2. The table below identifies indicative thresholds for the provision of on-site open space to aid the implementation of the policy. Flexibility may be applied, subject to negotiation on individual planning applications, where there may be specific local needs for a type of open space, accessibility issue, or other site constraints. On-site provision of open space will generally be expected at the following residential development scale thresholds (i.e., the number of dwellings by the type of open space):

Table 2- On-Site Indicative Open Space Thresholds

Open Space type	Threshold (number of dwellings)
Outdoor Sport	300
Formal Play Space	20
Informal Amenity Green Space	20
Parks and Gardens	500
Accessible Natural Green Space	50
Allotments	500

- 2.3. Below these development site thresholds, such open spaces will need to be provided off-site. The most effective way to do this is through an off-site contribution paid to the Council. This is discussed in further detail below.
- 2.4. It is important that when submitting a planning application, a site layout plan or open space plan clearly identifies the amount of public open space (in accordance with Policy H4) that will be provided on-site. Such space should be distinct on the plans from other forms of green space and vegetation such as private gardens or boundary treatments which do not meet the requirements to provide public open space.

3. Off-site provision

- 3.1. Off-site provision must be tailored to the identified open space needs and costed out according to the appropriate provision and maintenance of open space arising from the development. Off-site provision would normally involve making a financial contribution and could take the form of the provision of a new open space or could involve improvements to existing facilities which serve the development. Contributions can be pooled from several developments in a given area to provide a more meaningful or larger scale site or improvement. Further detail on the costs and mechanisms for securing contributions are included in the following chapters.
- 3.2. As can be seen from Table 1, most types of open space have a deficit in provision whether identified by quantity, quality, or accessibility. In many cases, deficits have arisen as a result

of a lack of quality indicating that existing sites need enhancement (and not necessarily that new sites need to be created).

- 3.3. It is worth noting that parks and gardens have Borough-wide catchments in circumstances where they are a recognised attraction. 'The Venetian Waterways' is a typical example of this.
- 3.4. Some Wards have good provision of allotments and accessible natural green space; hence a surplus has been identified and in such circumstances further provision/enhancements will not be required.
- 3.5. A breakdown of the total costs for the provision and the maintenance of open space per new dwelling is set out below. This forms the basis of the maximum off-site contribution cost per dwelling. The maintenance cost has been calculated by applying the 20 years' worth of cost, as required by Policy H4.
- 3.6. Clearly, the cost per dwelling will vary from one development proposal to another depending on the required open space needs associated with the relevant Ward area (i.e., as identified by deficits in the 'Open Space Needs by Ward' table above). This is covered in more detail in Section 4.

Table 3- Total Off-site Contribution

Type of Open Space	Cost per dwelling (£)
Outdoor Sport	£547.13
Formal Play Space	£292.72
Informal Amenity Green space	£248.46
Parks and Gardens	£124.23
Allotments	£41.75
Total	£1,254.29

- 3.7. Based on the full provision of open space as set out in the above policy requirement, a full off-site contribution for open space to the Borough Council would cost approximately £1,250 per dwelling. It is worth noting that this is lower than originally set out in the Local Plan Part 2 (LPP2) as the SPD has determined that accessible natural green space can only be realistically provided on-site on larger developments. If a site above 50 units cannot provide accessible natural green space on-site due to site constraints it will be necessary for the developer to identify specific off-site provision of natural green space or specific enhancements to existing natural green space in the locality. In these circumstances if it is agreed that the Council will deliver the provision, a financial contribution of £600.41 per dwelling would be required to cover the costs of provision and maintenance.
- 3.8. Costings included within this SPD will be monitored and increased annually in accordance with the Retail Price Index (RPI). Applicants are advised to make these adjustments when calculating the financial contribution generated by a development.

4. Open Space Requirements

- 4.1. By applying the identified surpluses and deficits from Table 1, the provision requirements/costs per dwelling can be summarised for each Ward as follows (**Note: Variations may need to be applied depending on the maintenance arrangements as the tables below assume maintenance is charged through off-site provision only, and in any**

circumstances where the open space provision on a development scheme is different to the thresholds set out below. In circumstances where a site is located across a Ward boundary, it may be that requirements are blended according to the needs identified.):

Table 4 - Bradwell North – On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 5 - Bradwell North – Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 6 - Bradwell South & Hopton - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	0	0	23.10
300-499 dwellings	24.65	4.62	18.48	0	0	0	47.75
500+ dwellings	24.65	4.62	18.48	9.24	0	4.16	61.15

Table 7 - Bradwell South & Hopton - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 8 - Caister North - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 9 - Caister North - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 10 - Caister South - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 11 - Caister South - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 12 - Central & Northgate - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	0	98.57

Table 13 - Central & Northgate - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£0	£1,212.54
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
300-499 dwellings	£0	£0	£0	£124.23	£0	£0	£124.23
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 14 - Claydon - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	0	98.57

Table 15 - Claydon – Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£0	£1,212.54
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
300-499 dwellings	£0	£0	£0	£124.23	£0	£0	£124.23
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 16 - East Flegg - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.1
50-299 dwellings	0	4.62	18.48	0	0	0	23.1
300-499 dwellings	24.65	4.62	18.48	0	0	0	47.75
500+ dwellings	24.65	4.62	18.48	9.24	0	0	56.99

Table 17 - East Flegg - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£0	£1,212.54
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
300-499 dwellings	£0	£0	£0	£124.23	£0	£0	£124.23
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 18 - Fleggburgh - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	0	0	23.10
300-499 dwellings	24.65	4.62	18.48	0	0	0	47.75
500+ dwellings	24.65	4.62	18.48	9.24	0	4.16	61.15

Table 19 - Fleggburgh - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 20 - Gorleston - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 21 - Gorleston - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 22 - Lothingland - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	0	18.48	0	0	0	18.48
50-299 dwellings	0	0	18.48	0	0	0	18.48
300-499 dwellings	24.65	0	18.48	0	0	0	43.13
500+ dwellings	24.65	0	18.48	9.24	0	4.16	56.53

Table 23 - Lothland - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£0	£248.46	£124.23	£0	£41.75	£961.57
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 24 - Magdalen - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	0	98.57

Table 25 - Magdalen - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£0	£1,212.54
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
300-499 dwellings	£0	£0	£0	£124.23	£0	£0	£124.23
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 26 - Nelson - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 27 - Nelson - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	0	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	0	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	0	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	24.65	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	24.65	£0	£0	£0	£0	£0	£0	£0

Table 28 - Ormesby - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	0	0	23.10
300-499 dwellings	24.65	4.62	18.48	0	0	0	47.75
500+ dwellings	24.65	4.62	18.48	9.24	0	4.16	61.15

Table 29 - Ormesby - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 30 - Southtown & Cobholm - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	0	0	23.10
300-499 dwellings	24.65	4.62	18.48	0	0	0	47.75
500+ dwellings	24.65	4.62	18.48	9.24	0	0	56.99

Table 31 - Southtown & Cobholm - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£0	£1,212.54
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£0	£671.36
300-499 dwellings	£0	£0	£0	£124.23	£0	£0	£124.23
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 32 - St Andrews - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 33 - St Andrews - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 34 - West Flegg - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	9.24	41.58	4.16	102.73

Table 35 - West Flegg - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£124.23	£0	£41.75	£1,254.29
20-49 Dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
50-299 dwellings	£547.13	£0	£0	£124.23	£0	£41.75	£713.11
300-499 dwellings	£0	£0	£0	£124.23	£0	£41.75	£165.98
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

Table 36 - Yarmouth North - On-site Provision per dwelling (m2)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total On-site (m2)
1-19 Dwellings	0	0	0	0	0	0	0
20-49 Dwellings	0	4.62	18.48	0	0	0	23.10
50-299 dwellings	0	4.62	18.48	0	41.58	0	64.68
300-499 dwellings	24.65	4.62	18.48	0	41.58	0	89.33
500+ dwellings	24.65	4.62	18.48	0	41.58	0	89.33

Table 37 - Yarmouth North - Off-site Provision per dwelling (£)

Scale of Development	Outdoor Sport	Play Space	Informal Amenity	Parks & Gardens	Accessible Natural Greenspace	Allotments	Total Off-site (£)
1-19 Dwellings	£547.13	£292.72	£248.46	£0	£0	£0	£1,088.31
20-49 Dwellings	£547.13	£0	£0	£0	£0	£0	£547.13
50-299 dwellings	£547.13	£0	£0	£0	£0	£0	£547.13
300-499 dwellings	£0	£0	£0	£0	£0	£0	£0
500+ dwellings	£0	£0	£0	£0	£0	£0	£0

5. Planning Obligations

5.1. Planning obligations (or contributions) will be used to secure open space provision on-site and contributions for funding provision off-site. In accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010, such planning obligations should only be sought where they meet the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

5.2. They will be required at smaller and larger scales of development to meet open space needs. A Section 106 Agreement will not be appropriate for smaller scale developments. Therefore, Section 111 Agreements or Unilateral Undertakings will be used for developments of 9 and less dwellings.

Table 38 - Thresholds for Planning Obligations

Planning Obligation	Threshold (number of dwellings)
Section 111	<10
Unilateral Undertaking	<10
Section 106	10+

5.3. For major developments where on-site open space will be required, agents, developers and applicants are encouraged to make use of the [Borough Council's pre-application advice service](#) to discuss options for providing for the open space and recreational needs of their development (alongside other relevant matters such as highways or flood risk) at an early stage. This will help to determine how the open space requirements will be met (on/off-site), the potential management and maintenance arrangements for it and what level of detail is submitted as part of the application.

5.4. Developers are also encouraged to initiate discussions with the relevant Parish/ Town Council at an early opportunity, within the context of this SPD, to identify the Parish Council's potential role in the future management of the recreational open space to be delivered.

5.5. Where outline planning applications show an illustrative layout of the houses, they will also need to show (indicatively) where the open space will be located on the site and how this relates to the housing. Full and reserved matters planning applications will need to show the precise details of on-site open space provision. In either case, it is likely that such space will be secured by legal agreement.

Section 106 Agreements

5.6. Planning obligations made under Section 106 of the Town and Country Planning Act 1990 (as amended) – commonly known as Section 106 obligations – are legally binding promises made by developers to local planning authorities (and other signatories, for example Parish/ Town Councils) which make a development acceptable (that would otherwise not be acceptable in planning terms). S106 obligations focus on site specific measures to mitigate the impact of individual developments. Open spaces are therefore commonly secured by such obligations with specified 'trigger points' (the specified point during construction/completion of the development at which contributions must be paid) to deliver as part of a development. If the S106 obligation is not complied with it is legally enforceable against the person that entered into the obligation and any subsequent landowner. The Section 106 can be enforced by injunction.

On-site Open Space in Section 106 agreements

- 5.7. Provision of on-site open space will typically be required prior to 50% occupation of the relevant phase. However, this may need to be negotiated on a site-by-site basis depending on the nature of the site.
- 5.8. Unless full details of open space provision are included within the planning application, a section 106 will include a requirement for an Open Space Scheme to be submitted to the Council and approved prior to the commencement of development. An open space scheme will contain plans and specifications for the open space to be provided including details of landscaping, paths, street furniture, fencing and management. The section 106 will then require provision of open space in accordance with the scheme. If the Council is to adopt the open space, the section 106 will require payment of the maintenance contribution on the date that the transfer of the space takes place. Where open space is to be transferred to a management company or a Parish or Town Council, the section 106 will require confirmation the transfer has taken place in line with provisions of the agreement and/or the open space scheme.

Off-site Open Space in Section 106 agreements

- 5.9. The section 106 will typically require payment of the relevant financial contribution towards off-site open space prior to 50% occupation of the relevant phase. The Council will typically covenant to spend the contribution on open space which serves the development. Given that contributions will often be pooled and it can take time to build up sufficient funds to deliver new and improved open space the Council will typically negotiate to return the contribution on request to the owner only if the contribution is not spent within 5 years of receipt.

Unilateral Undertakings

- 5.10. Unilateral undertakings are a form of planning obligation made by landowner and any other party interested in the land but which the Council are not signatories to. The undertaking is a legal deed whereby the signatories make covenants to the Council and is linked to the grant of planning permission. It can be a simpler way to secure a financial contribution towards open spaces under Policy H4. The Council will produce a template unilateral undertaking for developers to use for small scale development. The unilateral undertaking should include covenants to pay the relevant contribution prior to occupation of the development.

Section 111 Agreements

- 5.11. These take the form of a template agreement between the Council and the applicant under Section 111 of the Local Government Act 1972. Essentially this involves making an upfront payment of the contribution prior to the grant of planning permission in order to avoid the need for a unilateral undertaking or section 106 agreement and the time, legal fees and monitoring associated with them. If planning permission is subsequently refused and not appealed, or if the permission lapses a refund can be requested.

6. Management & maintenance

- 6.1. To ensure that new open space provision remains valuable in the long term and that its contribution to amenity and recreation is secured in perpetuity, it is essential there are robust arrangements in place for the management and maintenance of the space.

Borough Council adoption of open space

- 6.2. The Borough Council will carefully consider the desirability of adopting such open space but is under no obligation to do so. Where the Council does agree to adopt open space, it will require a minimum of 20 years maintenance costs paid through a contribution to ensure the

costs do not place additional burdens on the finances of the local authority. Maintenance costs are set out below and are expressed per dwelling:

Table 39 - Maintenance Costs

Type of Open Space	Cost per dwelling (£)
Outdoor sport	£142.46
Formal play space	£71.24
Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace	£558.07

- 6.3. Until adoption of the recreational open space, (including the children's play space), the Council expects maintenance of the equipment and general tidiness of the area to remain the legal responsibility of the developers/ appointed maintenance contractors, unless otherwise agreed.

Alternative management arrangements

- 6.4. Where the Borough Council does not agree to adopt open space, a suitable alternative arrangement must be secured such as by agreement with a parish or town council to adopt the open space, or a private management company. There may also be opportunities for local communities such as through local stewardship (such as explained through the Town & Country Planning Association's [guide](#)).
- 6.5. It is important that robust arrangements are in place for any private management company to ensure that the maintenance responsibilities are met in full by that company. Normal practice is for the company to then recharge its costs to residents of the development which has generated the need for the additional facilities. Initial and subsequent purchasers of such properties would normally be required to enter into an obligation to meet these charges as part of the conveyancing process and should therefore ask their conveyancer to investigate the details of how any arrangement will operate. A draft 'Management Plan' should be provided, setting out such details.
- 6.6. In either case, the Borough Council will need to be satisfied through submitted evidence that such management arrangements ensure that the open space policy will be met in full.

7. Spending off-site open space contributions

- 7.1. Financial contributions collected from developments towards off-site open space will most likely be pooled with contributions from other developments within the same catchments in order to build-up sufficient funds to deliver improvements to open space provision.
- 7.2. The Open Space Needs Assessment (2022) and the Playing Pitch Strategy (2022) identify a number of recommendations on how open space provision can be improved to address existing deficiencies and meet needs arising from new developments. Spending of pooled funds will therefore be prioritised to deliver those recommendations. The Council will also prepare a more detailed action plan for play space improvements over a five year period. Improvement proposals within these action plans will also be prioritised.
- 7.3. Projects making use of funds raised through off-site contributions will likely be identified by Parish Councils, community groups, Ward Councillors in consultations with their community, as well as the Borough Council itself. The Council will develop processes for managing the spend of off-site contributions and keep these under review to ensure spend happens through a timely and efficient process.

Spending Catchments

- 7.4. When spending off-site contributions, it is important to determine whether the new provision is reasonably related to the sites from which the contributions originated. This consideration varies across the types of open space as some catchment areas clearly function wider than others.
- 7.5. Formal play space and informal amenity green space should generally be provided as close to the development site as possible to minimise travel distances, therefore these should be spent within 1km to the site, or where this cannot be achieved within the relevant parish or within the ward (though flexibility will be afforded where sites are located adjacent or close to a parish or ward boundary). The same parameters are considered appropriate for informal amenity green spaces.
- 7.6. People will generally travel further to participate in outdoor sports or to tend to their allotment, however, local provision is still an important consideration. Where possible, these should be provided within the parish, however, where this is not possible adjacent parishes or wards will be considered. It is worth noting that there are clearly different catchments within outdoor sports depending on the type of sport. Therefore, some sports will have wider catchments owing to their limited availability and use/demand (such as tennis and golf).
- 7.7. Parks and gardens and larger accessible natural greenspaces tend to be more strategic spaces located within the urban area; such facilities can generally support residents' needs across all parts of the Borough.

Appendix 1: Open Space Policy

Policy H4: Open space provision for new housing development

New residential developments will be expected to make provision for publicly accessible recreational open space based upon the following Borough-wide standards unless it can be demonstrated through the Council's published evidence, or the submission of a more up-to-date

open space assessment, that there is a sufficient local surplus of provision in the listed types of open space to meet the needs of existing residents and those arising from future occupiers of the proposal.

- a. 103 square metres per dwelling, comprising approximately:
 - 24% for outdoor sport;
 - 18% for informal amenity green space;
 - 6% for suitably equipped children's play space;
 - 2% for allotments;
 - 10% for parks and gardens; and
 - 40% for accessible natural green space.
- b. Any new provision will generally be expected to be provided on site, except to the extent that the size, circumstances and surroundings render this impractical or undesirable, in which case, where possible, an equivalent financial contribution will be required for the improvement or enhancement of the quality and/or accessibility of public open space provision in the locality that would otherwise be capable of meeting the needs of the development.
- c. Flexibility may be provided in the balance between on and off-site provision, and between the types of open space, in the light of the nature of the development and the availability of open space in the vicinity. Developments of 20 dwellings and above, however, will generally be expected to meet the requirement for children's play space on or adjacent to the site where local deficits exist (i.e., other requirements may, subject to the foregoing criteria, be provided elsewhere).
- d. Robust arrangements for the management and maintenance of the on-site provision in perpetuity will be required to be demonstrated. (This will not be relevant where a financial contribution is accepted in lieu of the whole of normal on-site provision.) This requirement may be met by:
 - the Borough Council's agreement to adopt recreation space, which will require a minimum of 20 years financial contribution paid to it for by the developer in advance of adoption; or
 - an agreement with the relevant Parish or Town Council for it to adopt the space and commit to (for which it may require an appropriate financial contribution from the developer); or
 - the establishment of an adequately funded private management entity with responsibility for its maintenance and management in perpetuity.
- e. Acceptability of a financial contribution in lieu of on-site provision will be dependent on meeting the following additional requirements:
 - a development that contains sufficient space to ensure a high standard of layout and amenity to the residents and neighbours of the proposed development and to ensure it integrates well into the wider landscape or townscape setting; and
 - a reasonable prospect of delivery of appropriate off-site provision in the locality in the near future, having regard to the amount of the financial contribution, the

existence of administrative arrangements for delivery, and (where relevant) the availability of suitable land.

- f. All types of outdoor open space should seek to enhance biodiversity by improving the potential for habitat connectivity.

A Supplementary Planning Document will be produced by the Borough Council to provide further detail and guidance on providing open space in new residential development.

Appendix 2: Description & Design of open space

It is important to note that open spaces can be multi-functional, particularly in terms of supporting habitat connectivity, well-designed residential and commercial development schemes, mitigating flood risk through the use of Sustainable urban Drainage Schemes (SuDS), and improving the setting of historic assets and environments.

Developers will need to consider the Borough Council's design policies and standards when designing in open space to development schemes. The National Model Design Code includes clear principles to integrate public spaces as part of a wider design scheme, including the potential to improve nature, support movement and provide local context.

Developers may also want to have regard to other guidance and forms of best practice such as [Natural England's Green Infrastructure \(GI\) Principles and Standards](#) and the Town and Country Planning Association's (TCPA's) [guidance](#) using 'Garden City' principles.

Outdoor sports

The Borough Council will consider the specific needs of each sport identified in the '**Playing Pitch Strategy**' to determine what will be provided on-site. In some cases, further information may be sought from specialist bodies including Sport England and Active Norfolk.

Sport pitches, equipment and facilities will need to be designed to the standards set out by Sport England and the relevant sporting body/affiliation.

Formal play space

The Open Space Needs Assessment has identified four age categories which cover formal play space. These include:

- Junior ages (0-8 years), spaces accessible up to 100m distance
- Intermediate ages (6-12 years), spaces accessible up to 300m distance
- Senior ages (8-14 years), spaces accessible up to 600m distance
- Teen ages, spaces accessible up to 1km distance

The above categories broadly align with the Fields in Trust (FiT) categories of equipped play. The [FiT guide](#) suggests potential play area sizes. Clearly, some play spaces will have the ability to span more than one age category. The Borough Council will consider the needs of each category (relevant to the application location) as identified in the Open Space Needs Assessment.

It is important that the design of play space is inclusive and considers the needs of children with disabilities. The Borough Council welcomes equipment that has been through an 'Inclusive Play and Play Value Access Assessment' to demonstrate the inclusivity of its access.

Play spaces are encouraged to include natural features as part of a boundary or landscaping feature. The site itself should be well over-looked by surrounding residential properties. The need for enclosure/fencing will depend on the use of surrounding space, for example, a junior play area with a wider informal amenity green space may require clear separation particularly if there is a nearby road.

Informal amenity green space

Informal amenity green space provides opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas which are publicly accessible. Such spaces will be grass covered and will be expected to include tree and hedge planting to landscape the area and enhance biodiversity (this could assist with meeting the requirements of Biodiversity Net Gain). Informal amenity should be aesthetically pleasing as it contributes to the public realm.

The site itself should be well over-looked by surrounding residential properties. Developers are encouraged to consider the routing of existing and proposed footpaths, trails and green infrastructure corridors and take opportunities to maximise connectivity with the open space being provided. In addition, supporting infrastructure such as bins and benches help to maintain the space and maximise the enjoyment associated with its use.

Parks & gardens

Parks and gardens are accessible, of high quality, tend to be formally planned out, and provide opportunities for informal recreation and community events. They are usually located within urban areas. Most of the Borough's existing spaces are historic and contribute to the historic and cultural character of Great Yarmouth and Gorleston-on-Sea as coastal attractions. In most cases, the needs for such space will be met by off-site contributions to enhance existing sites.

Accessible Natural Green Space

Such spaces are areas with a predominant feeling of 'naturalness', which can be important for wildlife conservation, biodiversity, and environmental education and awareness, which are accessible to the public. It is important that these spaces are of a sufficient size to justify their use, and as such will only be required on larger developments (of over 50 dwellings).

In accordance with guidance set out by Natural England, natural green spaces can provide Suitable Alternative Natural Greenspaces (SANGs) to more sensitive natural habitat sites. A key aspect of mitigating recreational pressures on nearby National Site Network designated habitat sites is to ensure that such accessible natural green space has sufficient circular dog walking routes of at least 2.9km (on-site or through connection to existing public rights of way where this is possible, or shorter routes commensurate with the size of the site), including dog waste bins, and the potential for secure fenced areas to allow dogs to run off leads. Such spaces may provide the opportunities to meet mutually beneficial outcomes from the adopted Norfolk Green Infrastructure, Impact Avoidance & Mitigation Strategy (GIRAMS) and the emerging Norfolk Local Nature Recovery Strategy (LNRS) to protect and enhance biodiversity.

Allotments

Provide opportunities for those people who wish to do so to grow their own produce as part of the long term promotion of sustainability, health and social inclusion. Within the Borough existing sites tend to be managed by parish councils, associations and trusts. Such sites should have access to water, facilities for disposal and a defined boundary (as appropriate).

Sustainable urban Drainage Schemes (SuDS)

The use of SuDS as part of on-site open space will be supported where there is a clear recreational and amenity function such as providing a walkway/path, benches, trees and bins. SuDS areas that are fenced off, with no path or bench will not be accepted as open space. Basins, ponds and lagoons will be expected to be shallow and may offer the potential to plant reedbeds and other types of wetland habitat. The Lead Local Flood Authority (LLFA) provides more detailed guidance on the Norfolk County Council [website](#).

Consultation Statement

Open Space

Supplementary Planning

Document

January 2023



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1. Introduction

This document provides a summary of the consultation undertaken on the Open Space Supplementary Planning Document (SPD) under Regulation 12 of the Town and County Planning (Local Planning) Regulations 2012 (as amended). It provides the information required under Regulation 12 and 13 of the above mentioned regulations. The document sets out:

- Which bodies and persons the local planning authority invited to make representations under regulation 12,
- How those bodies and persons were invited to make representations under regulation 12,
- A summary of the main issues raised by the representations made pursuant to regulation 12,
- How these representations have been taken into account in the production of the Final Draft SPD

An 'initial' consultation took place between 2nd August 2022 and 26th September 2022, comments were considered with some consequential changes made to the SPD. The SPD was then subject to a further 'final draft' consultation which took place between 25th November 2022 and 23rd December 2022.

In accordance with the Councils adopted Statement of Community Involvement (SCI), direct notification of the consultation was sent to:

- All Local Members
- Statutory and General Consultees on our Local Plan consultation database

The SPD was available online and hard copies were available for inspection at the Town Hall, Hall Plain, Great Yarmouth, NR30 2QF.

Comments to the consultation were accepted via post to Great Yarmouth Town Hall or email to localplan@great-yarmouth.gov.uk.

The consultation attracted responses from 10 individuals or organisations at initial consultation with a further 8 at final draft consultation. These responses are reproduced in Appendix 1 and Appendix 2. The main issues raised in the response together with how they have been addressed in the production of the final version of the SPD is set out below.

No responses were received for the Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening report. The SEA and HRA can therefore be 'screened out' as this SPD **will not result in likely significant effects**.

2. Final Draft Consultation: Summary of main issues raised and how they have been addressed

This section sets out the main issues raised by each respondent and how they have been taken into account in the final version of the SPD.

Respondent: Lead Local Flood Authority (LLFA)

Summary of Main Issues Raised

- Suggests specific reference is made to the LLFA's guidance

How issues have been addressed

- The reference & link has been included

Respondent: Broads Authority

Summary of Main Issues Raised

- Request reference to Broads Authority use of the document
- Typographical & formatting errors
- Recommend Table 2 refers to 'on-site' thresholds within the title
- Explaining what LPP2 refers to
- How does the contribution for accessible natural green space referred to in paragraph 3.7 relate to the figures in Table 3?

How issues have been addressed

- Use the example wording to provide such reference within the document
- Typographical & formatting errors corrected
- Table 2 title amended
- LPP2 has been explained
- Contributions for accessible natural green space will not normally be accepted therefore it is not appropriate to include the figure within Table 3, however, further explanation has been provided to explain that the figure of £600.41 per dwelling will cover the costs of provision and maintenance.

Respondent: B. Oldham

Summary of Main Issues Raised

- New development is failing to deliver green space and causing drainage problems
- Some spaces lack bins

How issues have been addressed

- The SPD sets out how developers will be required to deliver open space through new development including how this relate to flood infrastructure such as SuDS. No change required.
- Contributions can be used to enhance existing spaces, this could include supporting infrastructure such as bins. No change required.

Respondent: Historic England

Summary of Main Issues Raised

No issues raised.

How issues have been addressed

No issues to address.

Respondent: Bradwell Parish Council

Summary of Main Issues Raised

No issues raised.

How issues have been addressed

No issues to address.

Respondent: Broadland Housing Association (via Agent: Bidwells)

Summary of Main Issues Raised

- More flexibility should be provided to allow off-site accessible natural green space within or close to any proposed residential developments' red line boundary. Replacement wording is provided for paragraph 2.4.

How issues have been addressed

- Paragraph 3.7 provides the relevant flexibility for off-site accessible natural green space provision. To avoid confusion though, paragraph 2.4 can be removed as the relevant threshold is included within Table 3 and this will avoid confliction with paragraph 3.7.

Respondent: National Grid Property Holdings (via Agent: First Plan)

Summary of Main Issues Raised

No issues raised. A potential development site is identified within the Nelson Ward.

How issues have been addressed

No issues to address. The site will be considered in relation to the Development Plan, including accordance with Policy H4 as appropriate.

Respondent: Cllr Carpenter (as Norfolk County Councillor)

Summary of Main Issues Raised

No issues raised in relation to the SPD.

How issues have been addressed

No issues to address.

3. Initial Consultation: Summary of main issues raised and how they have been addressed

This section sets out the main issues raised by each respondent and how they have been taken into account in the Final Draft SPD.

Respondent: Badger Building

Summary of Main Issues Raised

Badger Building raised the following issues:

- Is concerned that the open space has been split down further into categories
- Would expect to see accurate published record of spending and to expect funds to be spent after 5 years
- Is concerned over the 20 year requirement for commuted sums, citing an appeal decision at Blofield. Suggest a 10 year period is more reasonable.
- In Appendix 2, the circular dog walking routes (of at least 3.3km) would not be suitable on all development sites, particularly those just over the 50 dwellings threshold.

How issues have been addressed

- The open space categories have been established in the adopted Local Plan Part 2 (LPP2), reflecting best practice but also to be more representative of the detailed open space needs. No change required.
- The Government has clearly set out its expectations in monitoring financial contributions. Paragraph 5.9 of the SPD sets out a period of 10 years over which the off-site contributions must be spent, after which they can be clawed back. This has been changed to 5 years.
- The 20 year maintenance cost was established by the Inspector as part of the LPP2, with the matter being discussed at local plan examination. No change required.
- The distance of circular dog walking routes has been updated to explain where this is appropriate to the scale of site provided. Smaller sites should still seek to provide a route through connection to existing routes.

Respondent: Bradwell Parish Council

Summary of Main Issues Raised

Bradwell Parish Council raised the following issues:

- Is concerned at the threshold that needs to be met before requiring green spaces and recommend that the threshold is lower.
- It is recommended that the Borough Council specify the percentage of trees required on green spaces

How issues have been addressed

- It is worth noting that every single dwelling will be required to contribute (on or off-site) to open spaces where there is an identified deficit. The only exception to this is accessible

natural greenspace, where a threshold for on-site provision has been set at 50 dwellings as this is considered to be an appropriate scale at which to create a meaningful site, and this could not be achieved through smaller scale development. The Borough Council does not own land to provide new off-site accessible natural greenspace, therefore there is no realistic way to deliver off-site at a smaller scale. Other types of open space can be provided off-site and will be required to make contributions for such provision. It is important to note that this does not prevent natural features being provided on other forms of open space such as informal amenity space. No change required.

- The Borough Council must be content that the open space that is delivered meets the necessary qualities associated with that space. It is not considered that specifying the percentage tree cover will achieve this as there are other forms of vegetation and types of tree that may require certain densities or coverage. The Borough Council is, however, preparing a Design Code that will pick up tree planting as a design requirement for new development. No change required.

Respondent: Broads Authority

Summary of Main Issues Raised

The Broads Authority raised the following issues:

- The SPD needs to acknowledge that the Broads Authority will also have regard to the SPD
- Refer to the Local Plan for the Broads
- In paragraph 1.3, how will the standards apply to HMOs
- Suggest amending paragraph 1.4: Policy H4 ‘requires’ all new residential development ‘will be required’ [remove text] to contribute to open space provision where there is an identified deficit in provision
- Suggest a footnote to table 1 to explain that the entire ward has been assessed
- Paragraph 3.3 typo – missing ‘a’
- Paragraph 3.4 – what is an applicant wants to provide it?
- Section 4 suggest not splitting the tables
- Paragraph 5.3 refer to the Broads free pre-app service
- Paragraph 5.6 ‘trigger points’
- Paragraph 5.8 typo – missing ‘s’ off specification
- Paragraph 7.3 refer to Broads Authority
- How will the policy work if a development brings a Ward are into a surplus? How will this work with contributions? Will this be reviewed at a point in time?

How issues have been addressed

- The SPD cannot set policy for the Broads Authority and frequent reference is considered unnecessary throughout the document (see below in relation to paragraph 1.4 though).
- HMOs should be treated consistently with GIRAMS contributions, which is to apply a charge per six bedspaces. The SPD already sets this out in paragraph 1.3. The paragraph has, however, been amended to clarify that the same threshold will apply to other relevant forms of accommodation.
- Paragraph 1.4 has been amended to read: In accordance with policy H4, all new residential development will be required to...'. The paragraph has also been amended to refer to the entire Borough's Wards (including those parts within the designated Broads Area).
- Paragraph 3.3 – typo has been amended
- Paragraph 3.4 - If a developer wants to provide such spaces then these can be done so over and above the policy requirements, they should, however, not be used to deduct from other open space provision/contributions where there is an identified deficit unless there is some overriding consideration. No change required as this is likely to confuse applicants.
- Section 4 – agree for clarity that the tables should not split over the page
- Paragraph 5.3 – This is not relevant to the Borough Council's SPD and can be clarified by the Broads Authority on their own website if necessary. No change required.
- 'Trigger points' – have been identified in that way as these can differ from one application to another. Further text has been provided to explain the term.
- Paragraph 5.8 – typo has been amended
- It is intended that the SPD will be monitored, including open space surplus and deficits. The exact timing will need to be determined, but it is likely that this will need to be given time to assess (for example, population figures are published annually, and open space provision and spending will take time to be delivered) therefore a period of 3-5 years could be specified within the SPD. Such monitoring can have regard to contributions; however, it is delivery that must be the focus of monitoring.

Respondent: Historic EnglandSummary of Main Issues Raised

- The role of heritage should be further considered within the SPD
- Note the synergy between the natural environment and the historic environment, the multi-functional use of open spaces and potential to improve the character and setting of historic assets and environments

How issues have been addressed

- The SPD has been amended to make specific reference to the potential of open spaces to work with and improve historic environments/assets.

Respondent: Hopton Parish Council*Summary of Main Issues Raised*

- Why has Bradwell south been put together with Hopton? The facilities are not well linked.
- When do developers consult parish councils?
- Do GYBC automatically have right to 106 money without consulting Parish Council?
- How will the spending catchment between Bradwell South and Hopton work?
- There is confusion between paragraph 7.6 and the accessibility requirements set out in the Open Space Needs Assessment, i.e. 900m, should be a 15 minute walk, what about people without access to a car?
- Concern that there are no areas that meet the Natural Green Space guide in Appendix 2 to provide at least 3.3km of circular dog walking routes including secure fenced off areas.

How issues have been addressed

- The surplus/deficit of open spaces has been assessed by Wards in order to consider population and provision. The distance issue has been picked up as part of the accessibility assessment of open spaces within each Ward. No change required.
- The SPD recommends that developers consult with parish councils prior to submitting a planning application to the Borough Council. This is, however, not a requirement. Some developers do engage in early consultation. No change required.
- A Section 106 contribution is ultimately paid to the Borough Council to provide open space in accordance with policy and any requirements within the legal agreement. Detail is provided in para 5.6 in the SPD. No change required.
- As set out within paragraphs 7.4-7.7, spending catchments vary depending on the type of open space as some facilities will not be available or possible to provide within a Ward. It is anticipated that play spaces and informal amenity spaces, in particular, will be delivered within the same settlement to serve the identified deficit. Spending contributions must also comply with the requirements within the legal agreement and the obligations test set out in national policy. No change required.
- There has to be some acknowledgement that not all Wards are going to meet accessibility standards, particularly in rural Wards where facilities are spread out over vast areas. Paragraph 7.6 recognises that it is considered to be acceptable that in such circumstances there will be a need to travel further to access facilities such as allotments and sports facilities. It is worth noting that the Open Space Needs Assessment specifically identifies a need for allotments in Hopton. No change required.
- Further clarification has been added to Appendix 2 to explain that this is guidance for new accessible natural green spaces in accordance with Natural England's recommended guidelines for providing 'Suitable Alternative Natural Greenspaces' (SANGs).

Respondent: Miss Katherine Newnham

Summary of Main Issues Raised

- Concern at the loss of open spaces & countryside
- Suggests working in partnership with organisations such as Norfolk Wildlife Trust

How issues have been addressed

- The Open Space SPD is primarily aimed at addressing new provision of open space to address deficits. Local Plan Part 2 Policy E3 and national policy already addresses the protection of existing open spaces. No change required.
- The Borough Council is and will work with partnership organisations to secure open spaces that meet the Borough's needs. Consultation has also offered such organisations the opportunity to feedback. No change required.

Respondent: Natural England

Summary of Main Issues Raised

- Suggest incorporating overarching design principles
- Suggest providing greater emphasis multi-functionality and connectedness of open and green space ([noting Natural England's Green Infrastructure Principles and Standards for England](#))
- Suggest also having regard to the [guidance](#) published Town and Country Planning Association (TCPA)
- Suggest linkage to the Norfolk Green Infrastructure Recreational Impact Avoidance and Mitigation Strategy (GIRAMS)
- Suggest options for greater community engagement is integrated into the SPD with considerations for local stewardship where appropriate (providing reference to Natural England guidance).

How issues have been addressed

- Reference has been made within the document to having regard to best practice, overarching design principles including Natural England's GI Standards and the TCPA
- The SPD has been amended to make better reference of the multi-functionality and connectedness of open spaces
- Reference has been made to the adopted Norfolk GIRAMS

Respondent: Norfolk County Council – Natural Environment Team

Summary of Main Issues Raised

- Existing trees should be considered when identifying proposed open spaces and should be retained within the design
- Arboricultural reports will be required, and the necessary standards applied

- Paragraphs 2.2 and 2.3 are contradictory to paragraph 4.1 which states that no off-site contributions will be required for accessible natural greenspace, with paragraph 3.1 explaining how small contributions can be pooled to provide a larger space
- It has recommended that the Council seeks to maximise join-up between off-site provision of natural greenspace and the delivery of the Local Nature Recovery Strategy (LNRS)

How issues have been addressed

- The Open Space SPD is primarily aimed at addressing new provision of open space to address deficits. Policy E4 of the Local Plan Part 2 (in addition to national policies and other considerations) protect existing trees. The emerging Design Code will consider further the design of sites and location of trees. No change required.
- Potential impacts upon trees will be considered by the appropriate standards in accordance with Policy E4 of the Local Plan Part 2. No change required.
- Paragraph 2.4 clearly sets out that off-site accessible natural greenspace will not be required. No change required.
- Reference has been made to the LNRS in Appendix 2 which provide more detail on the function of accessible natural green space. It is worth noting that the LNRS is in preparation, therefore no requirements have yet arisen from that document and that adopted Local Plan Policy GSP5 and the Norfolk GIRAMS do not specifically require SANGs as mitigation. There is currently a lack of justification to provide off-site accessible natural greenspace.

Respondent: Norfolk County Council – Public Health

Summary of Main Issues Raised

No issues raised.

How issues have been addressed

No issues to address.

Respondent: Sport England

Summary of Main Issues Raised

No issues raised.

How issues have been addressed

No issues to address.

Respondent: Water Management Alliance

Summary of Main Issues Raised

No issues raised.

How issues have been addressed

No issues to address.

Appendix 1 –‘Final Draft’ Consultation Original Representations

Respondent: Lead Local Flood Authority (LLFA)

Thank you for your consultation on the above site, received on 25 November 2022. We have reviewed the application as submitted and wish to make the following comments.

A review of the draft SPD identified the inclusion of a single paragraph in Appendix 2 on page 22 states:

"The use of SuDS as part of on-site open space will be supported where there is a clear recreational and amenity function such as providing a walkway/path, benches, trees and bins. SuDS areas that are fenced off, with no path or bench will not be accepted as open space. Basins, ponds and lagoons will be expected to be shallow and may offer the potential to plant reedbeds and other types of wetland habitat."

This supports the application of the LLFA's county wide approach. The LLFA requests that signposting to the LLFA's developer guidance is included in the SPD.

Further guidance on the information required by the LLFA from applicants can be found at <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers>.

Respondent: Broads Authority

In response to one of my comments (The SPD needs to acknowledge that the Broads Authority will also have regard to the SPD) you say in the Consultation Statement, 'The SPD cannot set policy for the Broads Authority and frequent reference is considered unnecessary throughout the document (see below in relation to paragraph 1.4 though)'. The SPD cannot and does not set policy as it is a SPD, so it is not clear how the response to the comment is relevant. And GYBC will be aware that the Local Plan for the Broads does have regard to/defer to policies of our constituent councils, like GYBC, for such matters as open space, retail and affordable housing. So it is not about setting policy. As such, we request again, that the SPD says that as the Broads Authority has regard to/defers to open space policy of GYBC, this SPD will be of relevance to schemes in the GYBC part of the Broads. To further justify this, please see the recently adopted Affordable Housing SPD for East Suffolk: [Affordable-Housing-SPD.pdf \(eastssuffolk.gov.uk\)](#) you will see at paragraph 1.1 and 5.4 that 'The guidance set out here may therefore be relevant in the Broads Authority area'.

Furthermore, it would seem appropriate, given the above, that the Broads Authority endorses the SPD. Again using the East Suffolk Affordable Housing SPD as an example, the Broads Authority endorsed the SPD at Planning Committee and Full Authority:

- [Broads Authority - 29 July 2022 \(broads-authority.gov.uk\)](#)
- [Planning Committee - 24 June 2022 \(broads-authority.gov.uk\)](#)

[The following observations were provided as comments in a tracked changes document]

- Line 4, paragraph 2.2 – Order of words. Think you mean other site?
- Table 2 – Might want to say this is on site in the title to table.
- Line 3, paragraph 3.7 – This is the only occurrence of this so you might need to say what it is.

- Line 10, paragraph 3.7 – How does this relate to the numbers in the table above?
- Line 3, paragraph 3.8 – Formatting issue.
- Table 1 - Minor issue, but these tables are under the main title of off site, yet talk about on site and off site. Maybe a new section is needed that says on site and off site provision requirements per parish or something? Guess you could put off site under the off site section and on site under the on site section, but you might want to keep the parish info together... just an observation.
- Table 2 – Don't think this is m2 think this is £ as per the table?
- Table 4 – Section 106 is one of the potential methods so should it be in the title?
- Line 7, paragraph 4.6 – Trigger – missing the r

Respondent: B. Oldham

As a resident on Sun lane who grew up over 60 years ago on Burgh road I have seen the highs and lows of the development of this area.

The lows being disregard to wildlife (Gaptons industry), the filling up of dykes and blocked culverts causing the table water to rise and destroy properties(my parents bungalow, White horse end of Burgh road being one, and what chaos now with the inadequacy of sewerage for the population on higher ground!). I hope civil engineers and environmentalists can make wise decisions for our growing population and that there will be no advantages given to large building firms full of promise that don't deliver. The Persimmon homes are already giving residents problems and strike me as Jerry built in comparison to MHKing.

We MUST have green space among the future concrete and sufficient services for resident's health, education and for our community to flourish. Consider inter-generational living, consideration for the elderly and youths. Community halls and gardens?... Look to the Dutch they are superior in this kind of development.

Other Lows....Why did Clayton school not offer more than just plush nimby homes?

We need more school spaces now? Was that short sighted? That wonderful school field, space for sport, play, planting trees as well as buildings surely?

I personally have an issue with local litter, insufficient bins. I've been on to gybc. The local post office shop won't pay for the emptying of a bin (great Sherrif of Nottingham spirit..take community money, give nothing back). We appear to have a reasonable local counsellor but he is not a magician and has a limited resource.

Growth of the population means you have to consider the infrastructure and even minor issues like litter though seemingly just aesthetic, can soon become public or wildlife concerns. Bradwell pc does not employ a litter warden, Belton does. (We have a volunteer though who is marvellous and should be rewarded).

As for the highs..Gypsy Green. Mill lane community centre, the old school, scout hall, Green lane, Leo Cole's and the local church now taking off for the community. Social media enablement of a community when all else fails.

Even Blue bell wood, a beautiful area with lack of bins and no supervision become well trodden and spoilt.

This is more of a rant to satellite to others in the departments as my complaint is the same as many in my community from conversations held at local clubs, on dog walks and with friends. Know the community you are going to serve or defile!

I would like a reply to my email just to affirm there is care in these local government departments where senior employees are decision makers, undertaking the responsibilities of our future community. I'd like to think my words here are respected, and considered. I'd like to think that there is transparency and accountability for the taxes paid which will be utilised in planning and I wish for future success not failure which will be evidenced when I, like my parents, will have moved on to greener pastures!

Respondent: Historic England

Thank you for inviting Historic England to comment on the Final Draft Open Space Supplementary Planning Document (SPD). As the government's statutory adviser on the conservation and enjoyment of the historic environment we welcome the various changes that have been made to this document, and in particular the amendments which make specific reference to the potential role that open space can play in conserving and enhancing the historic environment.

CONCLUSION

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

Respondent: Bradwell Parish Council

Bradwell Parish Council has no comment to make on this document.

Respondent: Broadland Housing Association (via Agent: Bidwells)

On behalf of our clients, Broadland Housing Association (BHA), we wish to support the Borough Council with the preparation of the emerging Open Space Supplementary Planning Document (SPD) (October 2022).

This representation has been prepared to suggest refinements to the proposed wording to ensure flexibility in the guidance, prior to the adoption of the document.

Our comments in relation to the Final Draft Open Space SPD are detailed below.

Paragraph 2.4:

BHA support the objective of Accessible Natural Green Space to be provided on-site where there is a deficit in the area on developments of 50 dwellings. Flexibility is provided for this provision under paragraph 3.7 of the SPD, noting that if a site above 50 units cannot provide accessible natural green space on-site due to site constraints, it will be necessary for the developer to identify specific off-site provision of natural green space or specific enhancements to existing natural green space in the locality, for a financial contribution of £600.41 per dwelling. Nonetheless, we feel there should be more flexibility to allow its provision adjacent to, or in close proximity to any proposed residential developments' red line boundary.

Furthermore, as stated in Policy H2 of the Adopted Local Plan "flexibility may be provided in the balance between on and off-site provision, and between the types of open space, in the light of the nature of the development and the availability of open space in the vicinity". Therefore, greater flexibility in the provision of Accessible Natural Green Space would be in accordance with Policy H2.

Policy GSP5 of the Adopted Local Plan also contains flexibility, for example where suitable mitigation measures are required where a proposed residential development is identified as having an impact on a National Site Network designated habitat site or sites. The policy notes one mitigation method to be "Enhanced informal recreational provision [Sustainable Accessible Natural Greenspace], on (or in close proximity to) the site to limit the likelihood of additional recreational pressure". Clearly within this policy, there is flexibility for Accessible Natural Green Space to be provided adjacent to, or in close proximity to a proposed residential development's red line boundary.

To ensure that the wording is flexible and consistent with national policy and the Adopted Local Plan, the following wording is suggested for paragraph 2.4:

Where there is a deficit in accessible natural green space, unlike the other types of open space, "there is a preference for on-site provision" [Proposed additional text to replace "it will only be provided on-site"] on developments of 50 or more dwellings. "Where appropriate, accessible natural green space can be provided immediately adjacent to, or in close proximity of the red line of any proposed development." [Proposed additional text] It is necessary to have the appropriate scale of site to provide meaningful spaces that will meet the associated recreational needs of that open space type.

Respondent: National Grid Property Holdings

We act as planning consultants for National Grid Property Holdings Ltd (NGPH), the landowner of the Former Gasworks site at Admiralty Road, Great Yarmouth, NR30 3DR.

Please find attached a Site Plan which reveals the full extent of their landholding, encompasses circa 1.2ha in total.

The eastern portion extends to circa 0.4ha and features the Grade II Listed Gasholder, No.5, within the northern extent and non-listed Gasholder No. 6 to the south. Permission has recently been secured for the demolition of the non-listed holder (ref: 06/22/0102/DM). The western portion of the site includes an expansive area of open storage with a separate access off South Denes Road.

The end use of the site is to be determined as it is strategically located in terms of its proximity to the new river crossing. We would therefore like to register as an interested party in all future plan making exercises.

In response to the ongoing consultation for the Final Draft Open Space SPD, our client's site is located within the Nelson Ward which is marked as having a deficit across all categories of the Open Space Needs Assessment. We note that where there is a deficit there is a requirement in line with Policy H4 to provide new open space or enhance existing. Accordingly, in due course and subject to appropriate allocation and development, our client looks forward to potentially delivering something that can assist with this deficit, either in the form of suitable development with associated open space, or indeed as an open space destination in its own right.

Thus, we have no objection to the content of the document as drafted at this stage and we look forward to providing further comment on other upcoming consultation exercises scheduled for next year.

[Map of Admiralty Road, NR30 3DR provided, excludes telephone mast and existing buildings on south-west corner]

Respondent: Cllr Carpenter (as Norfolk County Councillor)

Hello, thank you for the information.

As I represent Caister Division my concern really is infrastructure particularly education and health provision. As you may be aware Persimmon Homes have started the process through planning to build 655 homes just off Jack Chase Way.

I attended the planning application hearing where I spoke about health provision which is currently available in Caister, to which I am relieved to say they did listen and I believe work is in progress to perhaps look at releasing land on the site earlier than already agreed to provide land for health providers.

If this is not taken up for any reason any further developments in and around Caister would eventually cause I believe the existing primary care health sites undue pressures in the increased population.

This is my personal observation.

Appendix 2 – ‘Initial’ Consultation Original Representations

Respondent: Badger Building

Firstly I would commend you for the preparation of a clear guide to your open space policy. The document is well laid out, showing both deficit and surplus in open space provision throughout the Borough. Breaking down the information ward by ward is helpful both for developers and landowners, and the extensive tables at section 4 provide an easy way for them to identify the costs of meeting your policy requirements.

We are less keen to note that the headings under which money is to be collected has now extended to five! Given the increase in fees to be collected, it is even more important for an accurate public record to be kept of money received, projects to be funded with a defined time scale and showing any refunds due to developers for non-delivery. We would expect such payments to be made after 5 years, or we consider the test attached to the Section 106 Agreement of “necessary to allow the development to proceed”, not to have been met.

The document contains no clear reference to this in section 7.

We would expect such a spread sheet to be publicly available on the Council’s website. A good example of this can be found on the East Suffolk Council’s web site.

We have concerns over the 20 year requirement for commuted sums and would refer you to an appeal decision in Blofield which covered this point, where the Inspector concluded that the Council would have been in receipt of Council Tax payments from the properties throughout that time and that these should be sufficient to cover ongoing maintenance. If not then the facilities are not viable as a public sector provision. We feel that the more usual ten year period is reasonable.

Appendix 2 includes a section on Accessible open space and includes the following statement in the section on Accessible Natural Green Space, with no caveat as to site size :- *“A key aspect of mitigating recreational pressures on nearby National Site Network designated habitat sites is to ensure that the accessible natural green space has sufficient circular dog walking routes (of at least 3.3km), including dog waste bins, and the potential for secure fenced areas to allow dogs to run off leads.”*

We find this misleading. If you look at the requirement provision for such open space for a site of 51 dwellings it is 45.58 sq. m per dwelling so a 51 dwelling site would create a requirement for 2120.58 sq. m. For ease of explanation I characterise this as an area of land measuring 53m x 40 m. This piece of land therefore has a total boundary length of 186m. To achieve the 3.3 km dog walk and assuming a walk around the boundary of the site, you would need to circumnavigate it 17 times. Looking at this I have to conclude that either I have misunderstood the policy, in which case the text needs to be clearer, or the 3.3 km requirement only applies to sites where a suitably sized area of land is required, in which case a suitable rider should be added to the text in italics above.

Respondent: Bradwell Parish Council

Last night the Parish Council resolved to be in agreeance with the majority of details enclosed in Draft Open Space Supplementary Planning Document, but there are concerns regarding the threshold numbers in Section 2.2 that developers need to hit before providing green spaces and this Council feels these thresholds should be a lower number. This Council would also like it written into the document that a percentage of trees must be planted in green spaces by developers.

Respondent: Broads Authority

They are both relevant to the Broads as our open space policy has regard to/defers to your (and the other districts') policies on open space.

I would therefore suggest that the SPD needs to acknowledge that and also I would suggest we endorse it as well. We have done the same for the East Suffolk Affordable Housing SPD and will do the same for their walking and cycling study.

After 1.29, in the Local Policy section, it might be useful to say that the study area is the entire Borough and that the Local Plan for the Broads has regard to/defers to the open space policies and standard of its constituent districts.

Bar chart above 1.57 and 1.79 and 1.271 and 1.314 and 1.330 – you might want to round to two decimal places?

After 1.2, talk about the Local Plan for the Broads and how that defers to/has regard to the open space policy of GYBC and therefore this SPD is of relevance to relevant schemes in the Broads part of GYBC.

1.3 – what about HMOs of bed space 1-5?

1.4 – is this better? Policy H4 'requires' all new residential development 'will be required' [remove text] to contribute to open space provision where there is an identified deficit in provision

A footnote to table 1 to say that the entire ward has been assessed? I.e. that the Broads part is included...

3.3 - where they are a recognised attraction

3.4 – what if an applicant *wants* to provide it?

Section 4 – you might want to split tables so they fit per page rather than going over a couple of pages – might be easier to read.

5.3 – mention the BA free pre-app service as well?

5.6 - 'trigger points'

5.8 - will contain plans and specifications for the open space to

7.3 – and the Broads Authority?

Queries about how this works

1.10 – what if a developer sees there is surplus in a ward and seeks to develop an open space which could bring the amount to the right amount or to a deficit? Or is the policy stance – open space is protected regardless?

So schemes contribute per dwelling if in a ward that is in deficit for that open space need – will there be a time when there will be enough contributions to put something in place so that area is not in deficit? Is that something that will become obvious when you review in a few years? Will you review the evidence in a few years?

Respondent: Historic England

As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully considered at all stages and levels of the local planning process.

Historic England would highlight that Open Space should not only be considered in terms of the natural environment, health and recreation but also the role it can play in conserving and enhancing the historic environment. It can be used to:

- conserve and enhance heritage assets
- improve setting of heritage assets
- improve access to heritage assets
- create a sense of place and tangible link with local history
- create linkages between heritage assets and other green infrastructure

Conservation and enhancement of the natural environment is an important facet of sustainable development. There is an important synergy between the historic and natural environment. Open spaces in our cities, towns and villages often have heritage interest, and it would be helpful to highlight this. It is important not to consider 'multi-functional' spaces only in terms of the natural environment, health and recreation. It may be helpful to make reference in the text to the role open space can have to play in enhancing and conserving the historic environment. It can be used to improve the condition and setting of heritage assets and to improve access to them. Likewise the historic environment can help contribute to the quality, character and distinctiveness of open spaces by helping to create a sense of place and a tangible link with local history. Opportunities can be taken to link new GI networks into already existing green spaces in town or existing historic spaces such as church yards to improve the setting of historic buildings or historic townscape.

Conclusions

I hope that you find the above comments helpful. We'd like to stress that this response is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise as a result of this plan, where we consider that these would have an adverse effect upon the historic environment. If you have any questions with regards to the comments made, then please do get back to me. I would be very happy to meet to discuss these comments further.

Respondent: Hopton Parish Council

4 Bradwell South and Hopton. Why are we lumped together? It is not so easy to reach and most of the amenities are there i.e. large recreation areas and an abundant amount of allotments.

5.4 When have developers consulted us?

5.6 As above

5.8 Do GYBC automatically have right to 106 money without consulting Parish Council?

7 If we are in a catchment area with Bradford South will there be any way in which 106 monies for projects in Hopton can be "ring- fenced" for Hopton?

7.5 Suggests that people will travel further to tend their allotment but many allotment holders do not drive and why have they stated in 1.48 that the distance should be a 15 minute walk?...who can walk to Bradwell in 15 minutes?

Appendix 2 Accessible natural green space ...circular dog walking areas of a minimum 3.3 km and potential for secure fenced areas where dogs may run off-leadhave a missed somewhere???? There is nowhere here. I think there is one in Gorleston.

Respondent: Miss Katherine Newnham (summarised response)

People need green space, nature habitat, it is good for nature and the human race.

I know of other Filby residents who like me, despair, because the developers have been 'let loose' and given the totally ruin the countryside and villages of the Great Yarmouth area. Like me they moved into the older homes no 'new builds' and wanted a countryside view and lifestyle. They know the consequences of over-development and ruining a beautiful area. People come on holiday to see the sea, beaches, Norfolk Broads, windmills and countryside. As a holiday maker say how Great Yarmouth area has changed; so built up and other parts allowed to become more like slum areas. You as a Council have something special, to look after and maintain the beauty.

Here in Filby we have a lands trust which with the help of the Norfolk Wildlife Trust, residents are planting trees, planting meadows, maintaining the orchard they planted, keeping space for wildlife, all things you as a Council should be doing. Give us more land, and we will help our wildlife to survive with the knowledge and instruction from our area Norfolk Wildlife Trust personnel.

Respondent: Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

We welcome this opportunity to give our views on this Supplementary Planning Document. Natural England offers the following bespoke advice in addition to some more general information within Annex A regarding topics within our remit which may influence the plan.

Natural England recognises that the primary objective of this SPD is to assess the borough's open space needs and the mechanisms for which they will be delivered to support policy H4 of the Local Plan. While the objective of this SPD is focused on delivery and guidance for developers it is Natural England's advice that consideration and integration of language supporting overarching design principles would be beneficial to delivering high quality open space and green infrastructure across the borough.

Multifunctionality and Connectedness

Natural England would encourage a greater emphasis on multi-functionality and connectedness of open and green space within the SPD. By encouraging the delivery of multiple functions from the same area of space the benefits for people and nature can be enhanced especially where provision is poor, or space is limited.

Similarly, by emphasising the importance of connectedness of open and green space within the SPD your authority can benefit from improved ecosystem functions and garner a range of improved ecosystem services provision which are vital for human health and wellbeing.

These two principles are discussed at greater length within [Natural England's Green Infrastructure Principles and Standards for England](#).

Suitable Alternative Natural Green Space

In the Open Space Needs Assessment point 1.332 refers to Suitable Alternative Natural Greenspace (SANG) and a lack of quality standards available to refer to. Natural England has [published quality standards and a useful checklist](#) which originated from the Thames Basin Heath Planning Zone. These guidelines provide a helpful starting point for designing SANG.

Your authority might also consider [guidance](#) published Town and Country Planning Association (TCPA) which outline best practice benchmarks for standards of green infrastructure.

Natural England advises that further detail should be incorporated into the SPD to provide developers with best practice standards so they can deliver green infrastructure that benefits both people and nature.

It is noted that neither the Needs Assessment or the SPD links open space needs to the Norfolk Green Infrastructure Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) evidence base for which Great Yarmouth Borough Council have adopted. In particular SANGs principles which should be aligned with page 135 (page 142 in the on the [electronic version](#)) for developments of over 50 houses as advised by Natural England in August 2019. We would encourage both documents to align their 'quality standards' with the Norfolk GIRAMS evidence and principles.

Access and connection to open spaces

Natural England notes the commitment within the Open Space Assessment document to improve access for people with disabilities and the formation of a Disability Awareness Group. Natural England strongly supports this initiative and encourages this to be taken forward.

The Green Infrastructure Principles outlined in [Natural England's Principles and Standards for England](#) outlines the importance of good governance and long-term management with a particular emphasis on local stewardship and community involvement. The aim of this is to engage with communities so that they make a connection with open and natural spaces resulting in highly valued spaces which are sustainably managed and protected. We suggest options for greater community engagement is integrated into the SPD with considerations for local stewardship where appropriate. Further information is available on the Natural England [website](#) and in [Guide 9: Long-Term Stewardship](#) from the Guides and Principles for Garden Communities.

Natural England welcomes the use of ANGSt benchmark standards for access to greenspace used within the needs Assessment.

Other notes

There is reference in the Open Space Assessment to recommendations that apply to the whole borough, but this section of the document appears to be missing.

Natural England supports the production of the Open Space Needs SPD and is happy to provide further advice on the plan as it evolves. Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.

Respondent: Norfolk County Council – Natural Environment Team

Arboriculture:

Existing trees should be considered when identifying proposed open spaces and should be retained within the design.

Arboricultural Impact Assessments, Arboricultural Method Statements and Tree Protection Plans in accordance with British Standard BS53 :2012 *Trees in relation to design, demolition and construction* should be referenced to inform the layout of proposed open spaces.

Should you have any queries with the above comments please contact Anne Crotty (Senior Arboriculture and Woodland Officer).

Ecology:

I am pleased to note that section 1.6 recognises that for developments close to National Site Network designated habitat sites, enhanced green infrastructure may be required. In addition, section 1.9 recognises exemptions for publicly accessible natural greenspaces including gardens, beaches and waterbodies; this is an important factor when assessing open space requirements.

Section 2.2 sets out the proposed threshold for on-site accessible natural greenspace (i.e. all developments of 50 dwellings and above to provide on-site ANGSS), with section 2.3 explaining that below these thresholds, an off-site contribution will be required to be made to the Council. However, this appears to be contrary to the details set out in section 4.1 where no off-site contribution is proposed in relation to accessible natural greenspace for developments under 50 dwellings. It would therefore be helpful if this matter was clarified further.

The proposed pooling of contributions to provide larger-scale areas of accessible natural greenspace as set out in section 3.1 is supported.

The proposed annual increase in costings in accordance with the RPI as set out in section 3.8 is supported, particularly given the current and forecast levels of inflation (and associated maintenance costs to the Council).

The reference to biodiversity net gain and local nature recovery strategies in section 1.31 of the OS Needs Assessment is noted; it is recommended that the Council seeks to maximise join-up between off-site provision of natural greenspace and the delivery of the LNRS which has the potential, if well designed, to deliver more than the sum of its parts.

Respondent: Norfolk County Council – Public Health

The documents are comprehensive and valuable in terms of open space improvement and the wide ranging benefits this brings.

Respondent: Sport England

Sport England supports this draft document.

Respondent: Water Management Alliance

Thank you for consulting the WMA on the Draft Open Space SPD. Having reviewed the details, we have no comments to make.