

Appendix 5

SSDC Community, Health and Leisure Service Planning Obligations

To: Adrian Noon

From: Steve Joel, Assistant Director, Health and Wellbeing, Robert Parr, Senior Play and Youth Facilities Officer, Alison Cameron, Leisure Policy Co-ordinator

CC:

Date: 12/10/10

Re: 10/03541/FUL –Erection of 51 dwellings on land north of Newtown Park, Newtown Road, Huish Episcopi, Langport

1. Introduction

This document sets out the view of the SSDC Community, Health and Leisure Service on whether the proposed development will increase demand for outdoor playing space, sport and recreation facilities in accordance with South Somerset Local Plan Saved Policies CR2, CR3, ST5 and ST10. It supersedes our Pre application memo dated 30.3.10 and makes reference to comments made in the updated Terence O'Rourke report supplied with this application and the letter sent to David Lohfink from Lynda Pincombe, Community, Health and Leisure Manager, dated 22.7.10. The comments from Lynda's letter are still relevant and clearly state the Council's position in seeking obligations from this development. These key facts have therefore not been replicated in this memo, and this letter should be taken into account as part of our response to the updated Terence O'Rourke report, which has not addressed any of its material considerations.

We would also like to highlight that, despite a specific offer in Lynda's letter to meet with the applicants to further discuss our initial pre application assessment of the leisure contributions, this has not been taken up.

The assessment has been undertaken on the basis that the net increase in the number of dwellings is **51**, of which 6 are one-bed dwellings and 45 are two-bed dwellings, or greater. This dwelling mix results in reduced figures from the pre application memo which considered the planning obligations based on all the 51 dwellings being two-bed or greater.

Where relevant, the standards of provision have been updated in line with approval of the Council's draft Core Strategy at the District Executive meeting in September, 2010.

2. Methodology

The Council's process for considering planning obligations for outdoor equipped play and youth facility provision, playing pitches, changing rooms, swimming pools, sports halls, theatres and arts centres, synthetic turf pitches and indoor tennis centres relating to new housing, includes six steps by which the scale of any contributions due are calculated. This involves:

- Calculating the population increase that will result from the development.
- Determining the amount of space that would be required to meet the additional demands.
- Assessing whether the existing infrastructure in the locality has the capacity to accommodate the additional needs.
- Determining the best approach to mitigate any impacts that cannot be accommodated either on-site or by the existing infrastructure.
- Preparing application specific planning obligation calculations for the required mitigations.
- Preparing application specific maintenance sum calculations for a ten-year period.

3. Population Increase

In order to calculate the population increase that will be generated by a housing development proposal, the Council uses the methodology set out in paragraph 11.11 of the Local Plan which assists developers to predict the likely impact of their development.

Based on this methodology, the population that would be generated by this development in 2010 amounts to **110.7** persons, based on a net gain of **51** dwellings.

Proposed Dwelling Number(s)		Household Size (persons)	Number of Persons Generated by Development
6	1 - bed dwellings	1.5	9
45	2 - bed dwellings plus	2.26	101.7
51	Total number of households/persons		110.7

4. Space Required

To assess the level of outdoor equipped play and youth facility provision, playing pitches, changing rooms, swimming pool, sports halls, theatres and arts centres and synthetic turf pitch provision that would be needed to meet the reasonable requirements of the developments future occupants, the Council then applies the population generated to the Council's pro-rata standards. Using this methodology, the level of provision required to meet the additional demands arising from this development is:

LP Policy	Relevant recreation category	Standard	Requirement
		[sq m per person]	[sq m]
CR2/3	Equipped Play Space	2.00	203.4
CR2/3	Youth Facilities	0.50	50.85
CR2/3	Playing Pitches	14.00	1,549.8
CR2/3	Changing Rooms	0.35	38.44
ST10	Theatres and Arts Centres	0.05	4.98
ST10	Synthetic Turf Pitches	0.26	28.28
ST10	Swimming Pool	0.01	1.2
ST10	Indoor Tennis Courts	0.02	2.63
ST10	Sports Halls	0.05	5.19

Standards for Equipped Play, Youth Facilities, Playing Pitches and Changing Room Provision

Previously, the applicant and their advisors appear to have been confused about the standards and potential double counting for youth facilities, playing pitches and changing rooms. For the avoidance of doubt, further clarification has been set out below:

The National Playing Fields Association (NPFA) 1989 Six Acre Standard, adopted by the Council as policy CR2, recommends provision of 0.6 – 0.8 hectares of children's playing space per 1,000. This incorporates: outdoor equipped playgrounds for children of all ages; other designated play facilities for children; and casual/informal open space. The Council has apportioned this within Saved Policy CR2, as:

- 0.2 – 0.3 hectares / 1000 for outdoor equipped playgrounds, and
- 0.4 – 0.5 hectares / 1000 for the casual/informal open space element

Facilities for older children/young people, such as skate parks, BMX tracks, multi use games areas, youth shelters, have become increasingly popular and are often provided in different locations to the equipped play facilities for younger children. In order to differentiate between equipped play facilities for younger children and facilities for older children, the Council had previously apportioned the 0.3 hectares / 1000 standard provided for under CR 2 to provide:

- **0.2 hectares / 1000** for equipped play space for young children.
- **0.1 hectares / 1000** for youth facilities for older children.

This therefore resulted in the standards of 2 sq m of equipped play space and 1 sq m of youth facilities space per person used in our previous calculations.

This step is in accord with the Local Plan aspirations stated in paragraph 11.10.

A need has also been identified for casual meeting places for young people. With careful siting and consultation these facilities can be considered as part of the recreation provision for new developments as recognised in the National Playing Fields Association literature.

As part of the preparation of the LDF Core Strategy, the Council has reviewed these standards based on its latest audit assessments and has adopted the revised Fields in Trust (formerly the NPFA) standard of 0.25 hectares per 1000 of designated playing space, apportioned as:

- **0.2 hectares / 1000** for equipped play space for young children.
- **0.05 hectares / 1000** for youth facilities for older children.

This results in our updated standards of 2 sq m of equipped play space and 0.5 sq m of youth facilities space.

These updated standards are included in the Council's draft Core Strategy, which has been discussed by officers and Area workshops and committees in June and July and approved by District Executive in September, 2010. The Strategy is now out for public consultation until mid December, 2010. Formal adoption is anticipated by early summer, 2012.

With regard to the standard for formal playing pitches for all ages, this is clearly set out in Saved Local Plan Policy CR2, which provides that 1.8 – 2 hectares of outdoor playing space must be provided per 1,000 population, of which **1.4 hectares per 1000 are for youth and adult use, i.e. 14 sq m per person.** This policy includes grass pitches for football, rugby and cricket, and does not include synthetic turf pitches.

This standard has again been recently revisited during the updating of the Council's Playing Pitch Strategy and the proposal is to retain the existing standard.

This policy distinction recognises that the intention and function of this standard is about providing essential open access and outdoor green spaces for alternative informal recreation use, specifically to serve the youth and adult population within a development. The need for Synthetic Turf Pitches has been audited and assessed separately by the Council, and are planned strategically to serve a wider catchment.

The standard for changing room provision is directly related to the provision of pitches, and has been calculated using an average sized pitch requiring an average size changing room, based on Sport England minimum requirements. As Lynda states in her letter, the provision of good quality changing provision is essential to order to make formal playing pitches “fit for purpose”. The standard approved at District Executive for inclusion in the draft Core Strategy shows a small change to **347.2 sq m per 1000 (0.347sq m per person)**.

Standards for Strategic Facilities

These have been developed as part of the Council’s PPG17 Assessments. In her letter, Lynda has clearly set out the process and justification for the use of these assessments in seeking planning obligations and it is not our intention to replicate this in this memo.

5. Infrastructure Assessment

The Council then uses its assessments (attached as appendices) to identify whether the additional needs can be accommodated. For this application, the local assessments are based on a combined population of Langport and Huish Episcopi parishes. The assessments attached show deficiencies in each area, indicating that during peak periods the provision in the locality is unable to serve the current population with or without this development. A summary for locality is set out below:

Local Plan Policy	Relevant leisure infrastructure	2009 (Deficiency) sq m	2029 (Deficiency) sq m
CR2	Equipped Play Space	(4,027)	(4,077)
CR2	Youth Facilities	(1,243)	(1,456)
CR2	Playing Pitches	(30,820)	(36,040)
CR2	Changing Room Provision	(766)	(894)
ST10	Swimming Pools ¹ <i>Deficiency based on population representing unmet demand for swimming in Area North</i>	(251)	(285)
ST10	Sports Halls ² <i>Deficiency at Huish Episcopi Sports Centre</i>	(131)	(217)
ST10	Theatres and Arts Centres ³	(5,871)	(7,145)
ST10	Synthetic Turf Pitches ⁴ <i>Deficiency based on population representing unmet demand in Area North</i>	(4,675)	(5,241)

¹ Calculations based on 2007 and 2027 population figures

² Calculations based on 2007 and 2027 population figures

³ Calculations based on 2008 and 2028 population figures

⁴ Calculations based on 2008 and 2028 population figures

ST10	Indoor Tennis Courts ⁵	(3,771)	(4,378)
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This shows that major infrastructure inadequacies currently exist in all areas of provision. As such, there is no capacity in the infrastructure for the population emerging from this proposed development.

6. Impact Mitigation

The Council has then used its equipped play and youth facility assessments, playing pitch strategy and local assessments, and PPG17 facility assessments to determine the most appropriate approach to mitigate the additional impacts. These proposals have also been discussed with the local parish and town councils and other stakeholders in the Langport/Huish Episcopi area. This is summarised below:

Local Plan Policy	Relevant leisure need	Council Delivery Strategy
CR2 + 3	Equipped Play Space	Off site – contribution towards enhancing proposed play area at the Old Kelways development
CR2 + 3	Youth Facilities	Off site – contribution towards enhancing youth facilities at the Memorial Playing Fields, Langport
CR2 + 3	Playing Pitches	Off site – contribution towards enhancing the capacity of existing facilities at the Memorial Playing Fields, Langport or the development of a new recreation ground
CR2 + 3	Changing rooms	Off site – contribution towards enhancement of existing facilities at the Memorial Playing Fields or the Cricket Ground, Langport or the development of a new recreation ground
ST10	Swimming Pool	Off-Site – contribution towards the development of a new indoor swimming pool in the Langport/Huish Episcopi area (Policy SP1) or towards the development of a centrally based 8 lane district wide competition pool in Yeovil (Policy SP2).
ST10	Sports Hall	Off-Site – contribution towards the development of a new sports hall in Ilminster (Policy SH1) or towards the development of a centrally based 8-court district wide competition sports hall in Yeovil (Policy SH2).
ST10	Theatres and Arts Centres	Off-site – contribution towards expanding and enhancing the Octagon Theatre in Yeovil.
ST10	Synthetic Turf Pitches (STP)	Off site – contributions towards the development of a new 3G STP in Langport/Huish Episcopi (Policy STP 1) or the provision of a new sand based STP in Yeovil (Policy STP 4).
ST10	Indoor Tennis Courts	Off site – contribution towards the provision of a new indoor tennis centre in Yeovil, likely to be within Yeovil Sports Zone (Policy ITC1).

⁵ Calculations based on 2008 and 2028 population figures

Outdoor Equipped Play

The assessment of the proposed plans for the development indicate that insufficient suitable space exists to provide outdoor equipped play provision on site. Therefore, in accord with SSDC Local Plan saved policy CR3 the best solution to mitigate additional demand is to make a contribution towards enhancing the proposed new play area at the adjacent Old Kelways development, as discussed at pre-application stage. The site is within the catchment area for the proposed play area, and this proposal is based on the assumption that suitable pedestrian access links will exist between the two developments. Developing capacity off site has the added benefit of reducing overall costs to the applicant, as land acquisition costs are avoided. This remedial measure will mitigate the additional **203.4 sq m** of provision stemming from this development. An appropriate financial contribution should be sought from the developer towards the delivery of this off site provision and a commuted sum payment for maintenance over a 10-year period be secured.

Youth Facilities

The infrastructure assessment for Langport and Huish Episcopi shows that there are major shortfalls in youth facilities for the town, now and in the future. The assessment of the proposed plans for the development indicate that insufficient suitable space exists to provide youth facility provision on site. Therefore, in accord with SSDC Local Plan saved policy CR3 the best solution to mitigate additional demand, is to provide a contribution towards a new multi use games area at the Memorial Playing Fields, Langport. The Council have been supporting the Memorial Fields Playing Fields in the development of such a project, and a letter from the Playing Fields Management Committee confirms that the project is needed and deliverable on their site. This project is also supported by both Langport Town Council and Huish Episcopi Parish Council. Developing capacity off site has the added benefit of reducing overall costs to the applicant, as land acquisition costs are avoided. This remedial measure will mitigate the additional **50.85 sq m** of provision stemming from this development. An appropriate financial contribution should be sought from the developer towards the delivery of this off site provision and a commuted sum payment for maintenance over a 10-year period be secured.

Playing Pitches and Changing Rooms

The infrastructure assessment for Langport and Huish Episcopi shows that there are shortfalls in playing pitches (in particular, junior football, mini soccer and cricket) and changing room facilities for the town, now and in the future. The assessment of the proposed plans for the development indicate that insufficient suitable space exists to provide playing pitch and changing facility provision on site. Therefore, in accord with SSDC Local Plan saved policy CR3 the best solution to mitigate additional demand, is to provide a contribution towards enhancement of existing facilities at the Memorial Playing Fields or the Cricket Ground, Langport or the development of a new recreation ground in Langport/Huish Episcopi. Consultation with the Memorial Playing Field Committee and the Langport

Town Council and Huish Episcopi Parish Council has confirmed that both the single adult football pitch at the site and the changing rooms are both in need of improvements, due to the high demand, and that the long term aim for the Langport/Huish area would be to provide a new recreation ground to cater for the demand for adult and junior football. The Cricket Club are also developing and have a need for female changing provision at their clubhouse. Developing capacity off site has the added benefit of reducing overall costs to the applicant, as land acquisition costs are avoided. This remedial measure will mitigate the additional **1,549.8 and 38.44 sq m** of provision stemming from this development. An appropriate financial contribution should be sought from the developer towards the delivery of this off site provision and a commuted sum payment for maintenance over a 10-year period be secured.

Sports Hall, Swimming Pool and Indoor Tennis Courts

Provision for swimming pool, sports hall and indoor tennis facilities are provided in a strategic off-site manner. In accord with policy ST10, the best solution to mitigate the additional demand for swimming, is to seek an off-site contribution to deliver the proposals for a new indoor swimming pool in the Langport/Huish Episcopi area, or a centrally located 8 lane swimming pool. For sports hall provision, the best solution to mitigate additional demand is to seek an off-site contribution towards the costs of developing a new sports hall in Ilminster or a centrally located 8-court district wide competition sports hall. The proposed new facility in Ilminster will help to relieve pressure on the existing sports hall at Huish Episcopi Sports Centre. Although a shortfall of provision remains for the centre at Huish Episcopi, the proposed strategy to reduce this shortfall is long term and not a short term priority for the academy school, as managers of the sports hall. For indoor tennis courts, the solution is to provide an indoor tennis centre as part of the Council's proposed Yeovil Sport Zone. These remedial measures will mitigate the additional **1.2, 5.19, and 2.63 sq m** of Swimming Pool, Sports Hall and Indoor Tennis Court provision stemming from this development. An appropriate financial contribution should be sought from the developer towards the delivery of this off site provision.

Theatre and Arts Centres

Provision for theatre and arts centres are provided in a strategic off-site manner. The Council's strategy is to expand and enhance the existing Octagon Theatre in Yeovil. The best solution is therefore to seek an off-site contribution to deliver these proposals. This solution has the added benefit of reducing overall costs to the developer as land acquisition costs are avoided. This remedial measure will mitigate the additional **4.98 sq m** of provision stemming from this development. An appropriate financial contribution should be sought from the developer towards the delivery of this off site provision.

Synthetic Turf Pitches (STPs)

Provision for synthetic turf pitches are provided in a strategic off-site manner. There is a deficiency in operational sand (hockey and football) and third generation (football) STPs throughout the district and there are no synthetic turf pitches in Area North. The Council's strategy is therefore to develop a sand based STP in Yeovil as the highest priority and subsequently the development of a third generation STP in the Langport/Huish Episcopi area. This

would probably be located at the Huish Episcopi Academy School, which is in line with their aspirations. The best solution is therefore to seek an off-site contribution to deliver either of these proposals. This remedial measure will mitigate the additional **28.28 sq m** of provision stemming from this development. An appropriate financial contribution should be sought from the developer towards the delivery of this off site provision.

7. Cost Calculations

Based on the most appropriate strategy to mitigate the additional impacts, the Council has prepared specific planning obligation calculations for the mitigations required, and determined the contribution that **directly relates to the proposed development** to enable the proposed development to be acceptable in planning terms.

A copy of each of the prepared cost schedules is attached with the calculator. Each schedule demonstrates how the cost of the provision has been determined and then reasonably related to the proposed development according to our local standards.

A summary of the contributions sought is detailed below:

Local Plan Policy	Relevant Category of Provision	Provision cost [£ per sq m]	Provision Cost Basis	Contribution sought
Equipped Play Space:				
CR3	- Off Site (Requiring No Land Acquisition)	£193.36	Equipped Play - On Site Cost Schedule	£39,329
Youth Facilities:				
CR3	- Off Site (Requiring No Land Acquisition)	£151.87	Youth Facilities - On Site Cost Schedule	£7,722
Playing Pitches:				
CR3	- Off Site (Requiring No Land Acquisition)	£16.36	Playing Pitch - Off Site Cost Schedule	£25,359
Changing Room Provision:				
CR2/3	- On Site or Off Site	£2,151.32	Changing Room - Cost Schedule	£82,691
Strategic Off Site Provisions:				
ST10	Theatre and Arts Centres	£3,078.11	Theatre and Arts Centres - Cost Schedule	£15,334
	Synthetic Turf Pitches	£139.24	STP - Cost Schedule	£3,938
	Swimming Pool	£15,067.16	Swimming Pools - Cost Schedule	£18,114

Indoor Tennis Centres	£4,421.45	Indoor Tennis - Off Site Cost Schedule	£11,610
Sports Halls	£5,721.77	Sports Halls - Cost Schedule	£29,694
Total Contribution:			£233,791.08
Total Cost Per Dwelling:			£4,584.14

8. Commuted Sums

Policy CR2 provides that provisions for future maintenance to ensure the continued availability of the equipped play space, youth facilities and playing pitches. This policy is in accord with B18 of the Circular 05/2005 that provides that maintenance payments may be sought towards the provision of facilities that are predominately for the benefit of the users of the associated development. Maintenance of on-site or off-site play and recreation areas will be taken over from the developer by the Town Council is covered within paragraph 11.16 within the Local Plan. To this end the Local Plan provides that a sum may be sought from developers to cover maintenance costs for a period of ten years.

To determine commuted sums, the Council has calculated the annual cost of maintaining each provision based upon the Council's known costs of managing facilities similar to the nature of the provision. The Council then calculates the 10 Yr Commuted Sums in accord with 'Assessing needs and opportunities: a companion guide to PPG17'. The Council then determines the commuted cost per square metre, thereby enabling the sum to be directly related to the proposed development.

Copies of each of the cost schedules demonstrating how the commuted sums sought to cover maintenance costs for a period of ten years has been calculated is set out in the Appendix.

You will see from these cost schedules that the Council applies an interest rate discount to the annual costs. The Council's normal practice is for the rate of interest to be determined based upon the average Bank of England interest rate in the financial year that the commuted sum is paid. Applying the interest rate discount clearly benefits the developer as it takes a provision for the interest that the Council may accrue through investing the first 9 years of the total sum.

The sums sought directly for the proposed 51 dwellings are summarised as follows:

Local Plan Policy	Relevant Category of Outdoor Playing Space	Maintenance cost per sq m of provision	Provision Cost Basis	Total Contribution
				£
CR 2/3	Equipped Play Areas	£109.93	Equipped Play - Com Sum Cost Calculation	£22,359.40
CR 2/3	Youth Facilities	£55.26	Youth Facilities - Com Sum Calculation	£2,810.16
CR 2/3	Playing Pitches	£8.95	Pitch - Com Sum Cost Calculation	£13,869.02
CR 2/3	Playing Pitch Changing Rooms	£247.78	Changing Room - Com Sum Cost Calculation	£9,523.97

Total Contribution	£48,562.55
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Total cost per dwelling	£952.21
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9. Financial Summary

The total contribution sought (capital and commuted sum) directly for the proposed development can therefore be summarised below as follows:

Overall Contribution Total	£282,353.63
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1% Sport, Arts and Leisure Service Administration Fee	£2,823.54
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Overall Level of Planning Obligation To Be Sought	£285,177.17
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Overall Cost Per Dwelling	£5,591.71
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10. Other Considerations

Relevant periods should be prescribed into the section 106 on the following basis:

- Equipped Play Space, Youth Facilities, and Playing Pitches Contributions: 5 Years from the negotiated trigger point.

- Swimming Pool and Sports Halls Contributions: 10 Years from the negotiated trigger point.

Contributions should be detailed against the specific infrastructure provisions set out within this document. In the event that the corresponding infrastructure is not provided for any reason within these timeframes, the Council shall make arrangements for contributions to be returned to Appellants.

Building and construction costs are index linked within the Section 106 Agreement to allow for changes in costs and prices over time. Initially, March 2009 will be taken as the base. Building and construction costs do not follow the Retail Price Index (RPI) as they are determined more by the volume of work being carried out or in the pipeline at the time. The Council uses The Building Cost Information Service (BCIS), published by the Royal Institute of Chartered Surveyors (RICS). The BCIS gives a cost analysis of various types of buildings as well as forecasts of tender and building costs. The Council uses this service to provide a guide to the construction and other costs of new infrastructure and facilities that are required. Developers are also expected to pay the Council reasonable legal costs in negotiation, preparation and completion of the Section 106 or other agreement, and pending completion, this will need to be supported by a solicitor's undertaking.