



# South Cambridgeshire Local Development Framework

## Opens Space in New Developments Supplementary Planning Document

### Sustainability Appraisal / Strategic Environmental Assessment Adoption Statement

#### Introduction

South Cambridgeshire District Council adopted the Local Development Framework (LDF) Open Space in New Developments Supplementary Planning Document (SPD) on 11th December 2008.

This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (16) (3) and (4), which require a statement to be produced on adoption of a plan or programme, to detail:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report has been taken into account;
3. How opinions expressed through public consultation have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with;
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Planning Policy Statement 12 widens these considerations from environmental, to broader sustainability issues, so that this statement provides information on the wider sustainability appraisal process.

This statement examines each of these points in turn.

## 1. How sustainability considerations have been integrated into the plan

The LDF aims to improve the overall quality of life for residents of South Cambridgeshire in a way, which will also benefit future generations. Taking a sustainable approach to economic, social and environmental issues is at the heart of the plan and will be closely related to the national strategy for sustainable development, which has four objectives:

- Social progress which recognises the needs of everyone;
- Effective protection and enhancement of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

### Policy Context

The national context is set out in Planning Policy Statements (the replacement to Planning Policy Guidance Notes), Circulars and other advice from Government. Whilst some of those national policies require local interpretation, a great number do not.

The regional context is set out in the East of England Plan that was published by the Secretary of State in May 2008. It continues the strategy that was set out in the Regional Planning Guidance for East Anglia (RPG6). It aims to focus a higher proportion of Cambridgeshire's growth into the Cambridge Sub-Region and proposes a sequential approach to the planning of development, with much of the development concentrated into and on the edge of Cambridge (subject to a review of the Cambridge Green Belt), including development in South Cambridgeshire, and into a new town beyond the outer boundary of the Green Belt.

The East of England Plan 2008 replaced the Cambridgeshire and Peterborough Structure Plan when it was published in its final form by the Secretary of State in May. A number of Structure Plan policies were 'saved' after September 2007 and remain valid until they will be superseded by policies in LDFs as these plans are adopted across the County.

### Open Space in New Developments SPD Policy Approach

The Open Space in New Developments SPD has been prepared by South Cambridgeshire District Council. It forms part of the Local Development Framework (LDF).

The SPD expands on open space policies in the Development Control Policies Development Plan Document (DPD), adopted in July 2007, and provides additional details on how they will be implemented. Policies seek to ensure that provision of open space is addressed

comprehensively to meet the needs of all new developments. Where provision cannot be made on site, off site contributions are now sought to enable improvements to the quantity and quality of facilities in the locality.

The SPD applies across the District, although there are a number of Area Action Plans for major developments that contain specific policies on open space that vary from the district wide policy.

The objective of the SPD is to assist achievement of the Development Control Policies DPD objective SF/h: to ensure the proper provision and maintenance of open space and sports facilities consistent with levels of planned residential development and identified open space standards.

Specific objectives for the SPD are to:

- Assist applicants gain planning permission quickly by informing them of what contributions are required and why, as well as how provision and payments should be made;
- Ensure that Parish Councils and / or the local community are involved in decisions that affect public open space provisions within new developments;
- Ensure that new facilities provided are appropriately designed to maximise amenity;
- Ensure that facilities provided are properly managed and maintained for maximum community benefit.

## 2. How the Sustainability Appraisal had been taken into account

The Sustainability Appraisal has contributed to plan development by providing an independent assessment of the sustainability of the Council's proposed options and policies as they were developed. It demonstrates that sustainability considerations have been incorporated into the development of the LDF and subsequently that of the SPD from an early stage and provides a formal statement and audit trail of the assessment.

The Sustainability Report is a key output of the plan preparation process. It reflected and supported the draft plan on which formal public consultation and participation was carried out.

The SPD is adding detail to policies to assist the implementation of adopted Development Plan Document policies and therefore the process had begun with the preparation of a Sustainability Report for this DPD. The policies in this DPD were therefore subject to sustainability appraisal. The main role of this appraisal was to examine whether the SPD results in any differences in these effects and add detail where appropriate.

In initiating the Sustainability Appraisal for the SPD it was decided to do an addendum to the LDF Sustainability Appraisal Scoping Report to provide additional specific scoping information on the Open Space in New Developments SPD. The additional scoping information relevant specifically to the SPD formed the basis of the assessment in the SA Report.

The issues identified in the LDF Scoping Report and Addendum were used to define a set of objectives, decision-making criteria and relevant baseline indicators, which collectively comprise the SA Framework.

Central to the Sustainability Appraisal process is the testing of the objectives of the SPD guidance against a Sustainability Appraisal Framework. The SPD objectives outline the purpose of the SPD and its aims. It is important that the overall SPD objectives are consistent with the concept of sustainable development. These were assessed and it was found that the objectives of the SPD were compatible with the Sustainability Appraisal objectives.

It was found that the SPD made no differences to the effects of the appraised adopted policies and so no changes were necessary to the SPD as a result of being appraised.

### 3. How consultation taken into account (draft plan and the Environmental Report)

In this statement the Council is required to detail how opinions expressed in response to consultation have been taken into account.

#### Key Environmental Bodies

The Strategic Environmental Assessment Directive requires that authorities referred to in Article 6(3) shall be consulted when deciding on the scope and level of detail of the information, which must be included in the Environmental Report. In England, the key bodies are the Environment Agency, English Heritage and Natural England. The following bodies were also consulted for this SPD: Sport England and Play England.

Consultation on a draft of the Sustainability Appraisal Scoping Report with these key bodies was carried out in October 2007. The consultation enabled these bodies to comment on the appropriateness of the objectives, indicators, baseline assessment and issues/problems.

One response was received, from Natural England. This sought reference to Natural England's Accessible Natural Green Spaces Standards, and a change to acknowledge the environmental impact of providing insufficient green space. As a result, a change was made to paragraph 34.

## Public Participation

The Strategic Environmental Assessment Directive requires early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying Environmental Report before the adoption of the plan or programme or its submission to the legislative procedure.

The Council consulted the public on the SPD and its Sustainability Appraisal. Full details can be found in the Statement of Consultation – Regulation 18(4)(b), available to view on the Council's website. This outlines the main issues raised in the representations received and how they have been addressed in the SPD, which is to be adopted.

## Consultation under Regulation 17

The public consultation on the draft SPD and Sustainability Appraisal Report was carried out over a 6-week period, which was in accordance with Regulation 17 of the Town and Country Planning (Local Development)(England) Regulations 2004 as amended in 2008.

There were in total 68 representations received. 9 were in support and 59 objecting. No representations were received on the Sustainability Appraisals.

The main issues raised include:

- Concern that there are parts of the SPD which appear to be seeking to create new policy rather than providing greater detail on the policies in adopted DPDs.
- Concern that the full hierarchy of green infrastructure has not been considered in the Draft SPD, with Strategic Open Space not included.
- Suggestion that greater clarity about the application of this Open Space SPD to Area Action Plans should be provided.
- Concern over the insistence on 50% of equipped play space and there being no justification in national policy guidelines.
- Concern that non-residential developments are required to contribute towards outdoor playing space, as there is no such reference in Policy SF/10.
- Concern over the use of Cambourne as the model for occupancy rates and sports participation rates, as Cambourne is considered unrepresentative of overall patterns of supply and demand throughout the District.
- Concern over the period of maintenance contributions, calculations used, and consistency with Circular 05/2005.

- Various concerns over the areas included in list of areas and facilities that do not contribute towards open space standards.

The consultation resulted in a number of changes to the SPD. These are listed in Appendix A.

#### 4. Reasons for choosing the document as adopted in light of other reasonable alternatives.

The Environmental Assessment of Plans and Programmes Regulations 2004 (12) (2) requires environmental reports to examine reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.

This statement is required to set out the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with.

PPS12 makes clear that full regard should be had to the chain of conformity to avoid duplication of assessment.

The alternative to having an SPD was to have no SPD at all and to carry out “Business As Usual” implementing the adopted Development Control Policies DPD without published detailed guidance. This was considered in the Sustainability Report. The Open Space in New Developments SPD, once adopted will provide further guidance on the implementation of the Council’s Open Space, Sport and Recreation policies. As such, it is considered more likely to create enhanced facilities than existing policy alone. Omitting the SPD would provide much less certainty in terms of the type and sizes of facilities that should be provided; the circumstances in which on-site or off-site provision could be favoured and contribution / maintenance cost required.

#### 5. Monitoring

The Environmental Assessment of Plans and Programmes Regulations 2004 requires authorities to set out the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Details of the monitoring measures envisaged are summarised in Appendix 7 of the Final LDF Sustainability Report.

The indicators created in the Sustainability Appraisal Scoping Report, will continue to be monitored annually. They have been utilised as 'significant effect indicators', to be collated in the LDF Annual Monitoring Report. This report includes an analysis of the implications of the results, and should a need arise a review of LDF documents could be triggered by this information.

The South Cambridgeshire Annual Monitoring Report is available to view on the Council's website.

## Appendix 1: Extract From 'Statement of Consultation (REGULATION 18(4)(b) STATEMENT)'

### Sustainability Appraisal Scoping Report

#### Statutory Bodies Consultation on Draft South Cambridgeshire Sustainability Appraisal Scoping Report

- Consultation with statutory bodies took place in October 2007
- Key agencies that have environmental, social or economic responsibilities (the Environment Agency, English Nature, English Heritage, and the Countryside Agency). Sports England and Play England were also consulted with for this SPD.
- One response was received, from Natural England. This sought reference to Natural England's Accessible Natural Green Spaces Standards, and a change to acknowledge the environmental impact of providing insufficient green space.
- As a result, a change was made to paragraph 34 of the Scoping Report.

### Draft Final Sustainability Reports

The Draft Final Sustainability Report meet the requirements for sustainability appraisal and strategic environmental assessment.

It was published for public participation alongside the draft SPD.



## Appendix A – Amendments made to SPD as a result of the public consultation.

### Open Spaces in New Developments Supplementary Planning Document

- Add to end of paragraph 1.2 - "The SPD includes standard charges indicating the level of contribution likely to be sought by the Local Planning Authority, as indicated by Planning Circular 05/05 Planning Obligations."
- Add new paragraph after 1.5 - "Area Action Plans that address sites on the edge of Cambridge (Cambridge East AAP, Cambridge Southern Fringe AAP, North West Cambridge AAP) utilise the Cambridge City Council Open Space standards. The standards and costs included in chapter 2 of this document therefore do not apply to these areas."
- Amend paragraph 1.11 - "The starting point for the mix of Children's Play Space will be 50% formal and 50% informal. A lower percentage of formal playspace (and consequently higher level of informal children's play space) may be acceptable if it can be demonstrated that provision of the LAPS / LEAPS / NEAPs hierarchy can be achieved appropriately with less than 50% formal provision."
- Move the second sentence of paragraph 1.11 to form beginning of paragraph 1.12.
- Amend paragraph 1.13 - "In addition to the standards detailed above, informal open space provision will be encouraged as part of business park, retail and large-scale commercial developments; this is for the benefit and well-being of the workforce and also visitors to the site. Any spaces provided should have regard to the nature and location of the development."
- Amend paragraph 2.1 - "When there will be a net increase in the number of occupants as a result of a residential development (details of how this is calculated are provided below). This includes conversions and change of use. It includes bed-sits, flats, sheltered housing and affordable housing."
- Amend 1st sentence of paragraph 2.5 - "Calculation of provision required for a residential development involves establishing the net increase in occupants, using an occupancy rate for different property types within the development based on the number of bedrooms."
- Add to paragraph 2.7 - "Where there is alternative robust information on population in relation to a specific major development this will be used, subject to the approval of the Local Planning Authority."
- Amend 2nd and 3rd bullet of paragraph 2.13 - "The laying out and construction of land including sport pitches, facilities and equipment for play and/or sport, and informal open

space"; "The improvement or upgrading of land including sports pitches, facilities and/or equipment for play or sport, and informal open space."

- Update costs in table under paragraph 2.14 to 1st quarter of financial year 2008/9 prices (subject to annual index linked update)
- Amend 1st sentence of 2.15 - "The level of contribution sought by the Local Planning Authority will be calculated according to the net increase of occupants that will result from a residential development according to the table at paragraph 2.7 above."
- Amend paragraph 2.16 - "Costs are based on research titled 'The Development of a Recreation Policy for South Cambridgeshire District Council', prepared by consultants Leisure and the Environment in 2005, index linked (Building Cost Index All-in Tender Price Index) to 1st quarter of financial year 2008/9."
- Amend Paragraph 2.20 - "It is strongly advised that in the majority of cases new open spaces and facilities should come under the freehold ownership of the Parish Council or Town Council or a local community organisation or trust that has clear accountability, is properly constituted, represents the best interests of the whole community and appropriate access by the community is guaranteed into perpetuity."
- Amend Paragraph 2.21 - "If a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)."
- Amend paragraph 2.25 - "In accordance with Planning Circular 05/05 (paragraph B18) this 10-year requirement has been reviewed and is considered a fair and balanced approach for new provision predominantly for the benefit of the users of the associated development."
- Add to end of paragraph 2.26 - "Additional pump priming contributions will not be required where a commuted maintenance sum has been secured as set out in paragraph 2.24." Reference should also be to paragraph 'B'19 of the circular.
- Amend 1st part of 2.28 - "The level of contribution sought by the Local Planning Authority for commuted maintenance will be as follows:
- Update costs in table under paragraph 2.28 to 1st quarter of financial year 2008/9 prices (subject to annual index linked update)
- Amend 2nd part of 2.28 - "Costs are based on research titled 'The Development of a Recreation, Policy for South Cambridgeshire District Council', prepared by consultants Leisure and the Environment in 2005, index linked (Building Cost All-in Tender Price Index) to 1st quarter of financial year 2008/9. They represent a robust indicator of the

level of contribution which will normally be required. If alternative costs were to be sought through negotiation with the Local Planning Authority, clear evidence would need to be produced to the satisfaction of the Local Planning Authority, to show that the required provision could be maintained for the appropriate period whilst still achieving the relevant agreed specification and quality."

- Amend 1st sentence of paragraph 3.2 - " The Planning Application should be submitted where possible with a draft Section 106 Agreement (based on the model agreement, but otherwise with a draft statement of the proposed heads of terms for a s106 agreement)."
- Add to end of paragraph 3.2 - "It is acknowledged that this standard template may require revision in relation to the specific circumstances of an application."
- Amend Box 4 of the process flow chart- "Developer submits a planning application accompanied by a Design and Access Statement along with a draft Section 106 Agreement. (based on the model agreement, but otherwise with a draft statement of the proposed heads of terms for a s106 agreement)."
- Delete last 2 sentences of 4.6
- Amend 2nd Sentence of paragraph 4.13 - "Pitches should not overlap as the summer and winter seasons now increasingly present potential conflict between sports at the end of each season; for example, cricket and football pitches where seasons overlap."
- Add to end of paragraph 4.15 - "It is not unusual for public rights of way to cross open space. When locating sports pitches, consideration should be given to preventing conflicts."
- Amend final sentence of paragraph 4.35 - "They should be sited in open, welcoming locations and where possible and appropriate by family homes to provide informal surveillance. It is noted however that NEAP's can create greater noise levels and disturbance to residential property therefore the requirement for NEAP's is that they should either be overlooked by family homes or located in "busy" areas where there is considerable natural surveillance and footfall."
- Delete paragraph 4.36
- Amend paragraph 4.37: Amend table referring to NEAP: 80m-100m for skate parks and informal MUGA's (for rural areas).
- Amend paragraph 4.37: Add to end of the paragraph referring to distance: The only exception to this may be for NEAP's, where defined safe crossing points are provided at the same time.

- Amend 1st sentence of 4.46 - "All play areas will be expected to provide each of the following unless clear evidence is produced to demonstrate why any particular facility or item should be omitted:"
- Amend 1st bullet of 4.46: "Robust and low maintenance benches with arm and back rests to aid older or less mobile carers"
- Revise paragraph 4.47 to read - "All play equipment must meet the most recent and relevant BS and EN standards including BS EN 1176 for playground and equipment design and installation and BS EN 1177 for impact attenuating surface testing and performance plus any further BS EN amendments and subsequent standards."
- Amend third sentence of paragraph 4.50 - "Rather they will use landscaping, planting and natural features and will offer a variety of paved and grass surfaces and tactile features."
- Add the following to the end of paragraph 4.50 - "On large developments, Design Codes can provide the framework for a coordinated approach to the design and delivery of LAPs."
- Add to end of 4.78 - "They will help support the vision of the Cambridgeshire Green Infrastructure Strategy to create a comprehensive and sustainable network of green corridors."
- Amend 3rd sentence of 4.82 - "Further guidance can be found in the Biodiversity checklist / Action Plan produced by Cambridgeshire & Peterborough Biodiversity Partnership."
- Amend appendix 3 definition of outdoor play space - Children's Play Space – "Designated areas for outdoor play for children and young people. This will contain a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play. This includes formal equipped play areas and provision for teenagers including wheeled sports parks and macadam kick-about areas. It also includes areas for informal play, including grass kick-about areas within housing developments."
- Amend first sentence of appendix 4 - "The following are areas that will not be considered as contributing to the open space quantitative standard."
- Amend Appendix 4, 6th Bullet to read - "Land used for Greenways (off highway landscaped paths), since their principal purpose is that of a movement corridor. This is distinct from a Green Corridor, which comprises open land, which penetrates into an urban area for amenity and recreation. The only exception to this is that part of a Greenway that passes through an area that is designated in its own right as informal open space."

- Appendix 5 - Add reference to the Green Infrastructure Strategy, Biodiversity Checklist/Action Plan and SCDC Biodiversity Strategy.