

Developer Contributions/ Planning Obligations

Ashford Borough Council

March 2001



Supplementary Planning Guidance
to the Ashford Borough Local Plan

SPG3



1. Introduction

1.1 The purpose of this document is to provide guidance to developers and service providers on the policies involving developer contributions in the Ashford Borough Local Plan (ie. those relating to public open space, sporting, recreational and social facilities, community facilities and education contributions). This supplementary guidance is intended to bring together detailed practical guidance on developer contributions. It is only guidance: it supports but does not alter any of the local plan policies. It explains in more detail how the policies can be applied successfully.

1.2 This guidance sets out the general approach taken in the Plan and how this approach fits in with Government Guidance on planning obligations.

1.3 In addition and where it may help clarify a policy, individual sections have been prepared relating to different facilities including illustrative examples of how calculations will be made. These sections set out the process that the Borough Council will go through in securing developer contributions and provide contact names and addresses of organisations who may be able to provide additional help or advice.

1.4 The Guidance deals with the following issues:

- Government Policy
- Overview of the approach contained in the Borough Local Plan
- Flexibility in applying policies / apportioning costs
- Summary of the Plan policies and requirements
- Individual sheets containing illustrative examples.



2. Government policy

2.1 Government guidance on planning obligations is principally set out in circular 1/97. Other important guidance is also included in the Government's Planning Policy Guidance notes, in particular PPG 12 (paragraphs 6.14 - 6.17).

2.2 The Borough Council has ensured that planning obligations sought meet the tests of circular 1/97 and in particular paragraph B2:

"The tests to apply to their use are that they should be necessary, relevant to planning, directly related in scale and kind to the proposed development, fairly and reasonably related to the proposed development and reasonable in all other respects".

2.3 The circular also advises specifically against facilities being required from developers 'solely in order to resolve existing deficiencies' (paragraph B12) - the Borough Local Plan's policies and proposals mirror this guidance.

2.4 In the Government's view development plans have an important role to play in securing planning obligations:

"where a local planning authority is likely to seek planning obligations in connection with a particular type of development or in relation to specific development sites, they should make this clear by setting it out in policies in their local plan."

2.5 The approach that the Plan takes in applying this guidance provides clarity for all parties - landowners, developers, local residents, potential house buyers. There is little virtue in being vague about likely requirements. However, the Council also clearly sets out throughout the Plan that there are many circumstances where flexibility will be needed in the application of the policies to cope with changing circumstances. As the circular says:

"The existence of plan policies does not preclude negotiation on proper and appropriate planning obligations on their merits in relation to individual planning proposals" (paragraph B16).

2.6 The Council fully accepts this need for flexibility to take account of the particular needs arising directly from a particular development, the site and market conditions and circumstances that may have changed since the Plan was prepared. Standards are set out in topic chapters (e.g. for play space) based on the needs generated by different scales of development. The Inspector at the Local Plan Inquiry was concerned about the need to provide the necessary degree of flexibility to reflect changing needs and circumstances. The Borough Council considers that the balance that it has drawn balances this concern with the objective of providing a degree of clarity and certainty to developers and the wider community.



3. Overview of the approach and policies in the Borough Local Plan

3.1 There is a range of infrastructure requirements identified in the Plan, both for physical works such as and 'community infrastructure' such as education contributions, affordable housing, play equipment and open space and community/ sports halls. The overall basis for seeking developer contributions is set out in policies GP5 and DP8 of the Plan. These policies are based on the Governments Guidance, as explained above, and strategic policy S9 contained in the Kent Structure Plan (1996).

3.2 The policies contained in the subject chapters of the Plan set out the approach to seeking contributions towards different facilities. All of these general policies are listed in table 1 below.

3.3 At a site level, in the Development Sites chapter, the policies identify the infrastructure required to meet the needs generated by each site.

3.4 The purpose of this part of each site policy is to provide landowners, developers and the wider community with a clear indication of the range of infrastructure and other facilities that the Council considers will be needed to enable each site to be developed in an acceptable way. The lists of infrastructure sought represent the Council's expectation of what infrastructure should come forward. They take into account the need to reflect the existing provision of infrastructure within the area at the time of development. There is a need for flexibility where the circumstances justify it and negotiations will be needed between the Borough Council and developers when planning applications are submitted and legal agreements are negotiated.



4. Flexibility in applying policies / apportioning costs

4.1 A number of the sites included in the Borough Local Plan are large and a number are in more than one-ownership. These more complicated sites may have significant 'up-front' infrastructure costs or may present problems in terms of apportioning costs. The Borough Council will be flexible in these circumstances both with regard to the timing of the infrastructure provision and will also help to ensure that site costs are apportioned fairly between different land owners or developers. This approach is needed to ensure that important sites come forward within the Plan period. The most important consideration in these circumstances will be at the end of the development process, that as far as possible, all of the infrastructure needs generated by the development have been met.

4.2 Where the provision of elements of the site infrastructure may need to be delayed, or where for viability reasons, it may not be possible to provide an element of the infrastructure, it will be the responsibility of the developer to justify his/her position to the satisfaction of the Borough Council. This could include a detailed and independent assessment of abnormal costs, or an independent appraisal of the financial impact of the infrastructure of the viability of the whole scheme. In some circumstances, where the impact on the existing or new community would be significant, this may justify refusal of planning permission.

4.3 A number of sites within the Plan are relatively close together. In these cases it may be possible for the requirements of each site to be combined and met in a joint facility as long as they meet the needs generated it may also be appropriate for needs to be met off-site. This approach may

benefit both the developer and Council in reducing the cost of providing the facility and, in the longer term, the overall cost of maintenance. Similarly the Borough Council will also support the provision of multi-use facilities (for example, a multi-use leisure building) as long as the facility meets the needs generated by the development and that it meets the requirement of relevant (e.g. education authority or health authority).



5. Summary of the Plan policies and requirements

5.1 The following table contains a comprehensive list of all of the Borough Local Plan policies which relate to developer contributions and planning obligations.

Table 1. Policies in the Plan covering developer contributions and planning obligations

Plan Policy	Chapter	Purpose of the Policy
GP5	General Policy	Ensuring that the necessary community facilities and infrastructure are provided.
DP8	Development Principles	Ensuring that development provides the infrastructure and community facilities that is required.
EN14	Environment	Contributions required from sites adjacent to the green corridor .
HG2	Housing	Provision of recycling facilities on housing sites with a capacity of 500 or more.
HG14	Housing	Affordable housing on sites with a capacity of 25 or more.
SH7	Shopping	Provision of land for local shopping facilities on sites with a capacity of 500 or more as well as an agreed building programme.
TP6	Transport	Proposals for employment, shopping and leisure development and other developments used by the general public should provide secure cycle parking facilities .
TP19	Transport	New development will be required to create new capacity in the transport network to meet the development's needs. Contributions will need to provide for as large a proportion of all trips generated as practical to be made by foot, cycle or public transport.
LE5	Leisure	Provision of equipped public open space on sites with a capacity of 15 or more.
LE6	Leisure	Financial contribution in lieu of LE5.
LE7	Leisure	Children's play facilities on sites with a capacity of 15 or more.
LE8	Leisure	Leisure facilities on sites with a capacity of 200 or more.
LE9	Leisure	Maintenance of open space, woodlands and protected habitats within development sites.
CF19	Community Facilities	Provision of multi-practitioner health centres on major development sites.
CF21	Community Facilities	Primary and Secondary Education contributions from sites with a capacity of 10 or more dwellings (or smaller development if it can be shown that a smaller development would trigger the need for new school facilities).

5.2 Where infrastructure requirements logically apply to all sites above a certain size, i.e. to provide for the needs they generate in reasonable proportion to that need, it is obviously important that requirements imposed are consistent. Other requirements will clearly be site specific for example education contributions where the contribution will need to relate to the capacity in surrounding schools.

5.3 It has been an important aim in drafting the Borough Local Plan to be explicit about likely infrastructure requirements wherever possible. Such clarity will help developers and landowners, making them aware of likely development costs as early as possible in the development process. Alongside this explicit approach, the Plan is careful to reflect Government guidance that account should be taken of other site and market conditions, which may change over time or only become apparent following the adoption of the Plan.

5.4 Table 2 below sets out the typical community facility requirements arising from major housing development of different sizes by showing the thresholds appropriate to each facility.

Table 2 - Community facilities needed as part of major housing development

Community facility	Policy threshold	Requirement	Plan policy
Recycling facilities	Sites of 500 dwellings or more	Provision of land and recycling collection facilities.	HG2
Affordable housing	Sites of 25 dwellings or more	Overall target of a minimum of 20% of site capacity made available at no more than 70% open market value.	HG14
Local centre	Sites of 500 dwellings or more	Reservation of land and a building agreement for the first shops.	SH7
Open space	Sites of 15 dwellings or more	2.4 hectares equipped public open space per 1,000 people, including children's play-space.	LE5
Neighbourhood play facilities	Sites of 100 - 199 with additional provision on sites of 500+	Play equipment - minimum eight pieces - for children aged up to 8.	LE7
Local play facilities	Sites of 200 dwellings or more	Play equipment - minimum eight pieces for each age group - for children aged up to 8 and 8 – 14.	LE7
Community hall / leisure building	Sites of 500 dwellings or more	Equipped building with one large and one small hall, kitchen, office, changing facilities.	LE8
Outdoor sports	Sites of 200 dwellings or more (additional requirement for 600+ dwellings)	Sports pitch and outdoor multi-use games area (for sites of 600+, two sports pitches and squash court required - or facilities of equivalent leisure value).	LE8
Multi - practitioner health centres	Major development sites	Appropriate site serviced to site boundary without ransom.	CF19
Primary and secondary school contributions	Sites of 10 dwellings or more	Financial contribution to provide the additional school places needed to accommodate children from development and, where appropriate, the school buildings and school site.	CF21

5.5 The site policies in the Borough Local Plan give an indicative timing of when each facility will need to be provided. In the case of education contributions this will be an issue for negotiation and entirely dependant on the circumstances relating to each site. In the case of other facilities the need will relate to the completion rate of the development and therefore a more incremental approach has been taken.

5.6 Three principles apply to the timing of infrastructure provision:

- firstly, the facility should be provided when a significant need has arisen for it from new residents of the housing;
- secondly, the trigger point must be set at a level that ensures that the developer has sufficient financial incentive to provide the facility in question;

- thirdly, the trigger point must reflect the realities of the development process and not front-load infrastructure costs unduly on the early stages of development; this needs to be weighed against the need for infrastructure being in place when residents will need it.

5.7 As with all aspects of developer contributions, the Borough Council will take a flexible approach to the timing of facility provision. The details will be agreed through negotiation, at the time of the planning application or preparation of any associated section 106 agreements.

Table 3 - Timing the provision of community facilities - 'trigger points'

Site capacity	10 – 99	100 – 199	200 – 499	500 +
Affordable housing	Completion of affordable housing before completion of 75% of site dwelling capacity; or transfer of land on 'affordable' terms to an appropriate agency before completion of 60% of site dwelling capacity. <i>(Affordable housing is only required on sites with a capacity of 25 or more).</i>	Completion of affordable housing before completion of 75th dwelling, or transfer of land on 'affordable' terms to an appropriate agency before completion of 50th dwelling.	Completion of affordable housing before completion of 150th dwelling, or transfer of land on 'affordable' terms to an appropriate agency before completion of 100th dwelling.	Completion of affordable housing before completion of 300th dwelling, or transfer of land on 'affordable' terms to an appropriate agency before completion of 200th dwelling.
Neighbourhood level play	n.a.	Available for use before completion of 50th dwelling.	n.a.	(Where required in addition to local level provision, available for use before completion of 300th dwelling).
Local level play	n.a.	n.a.	Available for use before completion of 100th dwelling.	Available for use before completion of 100th dwelling.
Open space	On sites with a capacity in of >15 dwellings - laid out to agreed specification before completion of 75% of site dwelling capacity.	Laid out to agreed specification before completion of 50th dwelling.	Laid out to agreed specification before completion of 100th dwelling.	Laid out to agreed specification before completion of 150th dwelling.
Community facility	n.a.	n.a.	n.a.	Building finished to agreed specification before completion of 300th dwelling.
Contribution towards school facilities		Timing to be agreed with the Borough Council in consultation with the local education authority.		

5.8 In the majority of cases, the developer contributions sought by the Borough Council will need to be secured through a section 106 agreement. The applicant will meet the costs of all parties in drawing up the legal agreement.



6. Individual sheets including illustrative examples and important contacts

- Sheet 1 Affordable Housing
- Sheet 2 Open Space, Play Facilities, Sport and Leisure Facilities
- Sheet 3 Contributions to Green Corridors

- Sheet 4 Education Contributions
- Public Open Space Adoption Procedure (Guidance Notes for Section 9 Agreements)
- Standards for Adoption of Landscaped Areas (Guidance Notes for the Provision of Equipped Open Space Proposed for Adoption)
- Standards for Adoption of Play, Youth and Sports Facilities (Guidance Notes for the Provision of Equipped Open Space Proposed for Adoption)



7. Bibliography

- Ashford Borough Local Plan (June 2000)
- Kent Planning Officer's Group Good Practice Guide on Developer Contributions
- Kent Structure Plan (1996)

Introduction

1. Circular 6/98 states that “where there is evidence of need for affordable housing, local plans should include a policy for seeking an element of such housing on suitable sites. Such policies will be a material consideration in determining an application for planning permission.”

2. The BLP policy HG14 requires an element of affordable housing on all sites identified in the Plan for more than 25 dwellings together with all windfall sites of a similar capacity or with an area greater than 1 hectare.

3. Since the BLP was adopted the Council has commissioned a housing needs survey. The results of the survey have yet to be analysed but they will lead to the production of revised guidance on the affordable housing policy.

4. The Plan policy and the supporting text clearly indicates that these targets are set out as the basis of negotiation. The exact discount and quantity of affordable housing to be provided will be arrived at through negotiation between the Council and the developer.

5. As a guide the Plan indicates an overall target to secure as affordable housing 20% of the total number of dwellings proposed on the major new housing sites identified in the Plan. Policy HG14 lists those sites where a proportion of affordable housing is required. In addition, other windfall sites of more than 25 dwellings or with a site area greater than 1 hectare should also provide an element of affordable housing.

6. The simplest way for the policy to be implemented is by the use of legal agreements and the involvement of a registered social landlord (RSL). The RSL would be in a position to nominate suitable occupiers of the property and ensure that the benefits of the affordable housing were passed on.

7. There are, however, different ways of meeting the requirement. This could include a developer developing the housing and handing it to a RSL to manage or the developer transferring the land to a RSL to develop and manage or the housing could be developed and managed by the developer provided the policy requirements are met.

8. In accordance with circular 6/98 low cost market housing, involving purchase at a discounted price is also acceptable. The Local Plan states that this type of housing is acceptable provided that the long-term retention of the dwellings as affordable housing can be guaranteed. In practice the retention in perpetuity of low cost market as affordable housing is not achievable with first time purchasers now being able to “staircase” out of the affordable housing. In those instances where the preferred route is to provide low cost market housing the Council, as a compromise, will negotiate on a site by site basis in the light of the assessment of housing needs to secure affordable housing for at least the initial occupants.

9. The affordable element that needs to be retained in perpetuity relates to the percentage discount below full market value. For example, if a property is initially sold or rented at 70% of the market value, when it is resold or re-let it should remain at 70% of the then full market value.

10. Development site policies in the Plan deal with the need for affordable housing on a site specific basis. In practice the Council accepts that following on from the housing needs survey there may be the need to re-assess the type of units and level of discount provided on a site by site basis.

11. The BLP makes it clear that proposals which provide for a financial contribution (which equates to the full costs of meeting the affordable housing requirement) or the building of affordable houses on a site elsewhere which is allocated for housing development in the Borough Local Plan will be considered. However, PPG3 now makes it clear that there is a presumption that such housing should be provided as part of the proposed development of the site.

12. It is essential that the affordable part of a large housing scheme is properly incorporated into the whole development area and not included as a single, effectively segregated, block of development. To achieve this it is important that the affordable element of a housing scheme is designed into the whole development at an early stage and not added later when locational options may be limited.

Implementation

13. On those sites identified in the Plan or others of more than 25 dwellings or with a site area greater than 1 ha. 20% of the total number of dwellings should be affordable units.

14. In the first instance the developer of the site should contact the housing department to ascertain the type of units required.

15. The housing department will be able to help identify a suitable RSL partner (the preferred approach to implementation).

OR

If the preferred route is to provide discounted market housing then the level of discount and the suitable management arrangements will need to be discussed and agreed with the housing department.

OR

In the exceptional circumstances that the affordable element cannot be provided on site for whatever reason then the possibility of providing a financial contribution to provide the affordable element elsewhere should be discussed with the housing department.

BLP policy	HG14 – Affordable Housing on Large Sites	
Sites covered by policy	<ul style="list-style-type: none"> All housing sites with a capacity of 25 or more dwellings or an area of over 1 hectare. 	
Policy requirement	<ul style="list-style-type: none"> Acceptable proposals will need to provide an appropriate proportion of new dwellings available for purchase, part-purchase or rent at or below affordable levels (70% of full market value). The Council's overall target is for these sites to provide approximately 935 affordable dwellings during the Plan period. This affordable housing should be available in perpetuity and provided to households who are unable to afford general rented or market demand housing. The following targets are adopted for the following sites as a basis for negotiation. <ul style="list-style-type: none"> S13 Cheeseman's Green – 140 S16 Bushy Royds – 55 S17 Park Farm – 154 S19 Brisley Farm / Court Lodge Farm – 57 S20 Singleton – 110 S22 Former Barracks Land – 100 S24 Ashford Hospital – 12 S25 Lodge Wood – 40 S29 Goat Lees – 120 S30 Little Burton Farm – 120 S39 Lower Queens Road – 6 S56 Hitherfield, Charing – 7 S59 Warehorne Road, Hamstreet – 7 S69 Former Oil Depot, Wye - 7 	
Exclusions	<ul style="list-style-type: none"> The contribution from each site should take account of exceptional site or market conditions Those sites where planning permissions already exist which could be implemented without bringing forward the affordable housing element. 	
Calculation method	Whatever the method by which the affordable housing is provided, whether through a HA or by a directly by a developer - the net effect is that the buyer/renter must pay no more than 70% of the full market value.	
Contacts	For general policy advice on HG14 Ian Grundy Planning Policy Unit Ashford Borough Council Civic Centre Tannery Lane Ashford, Kent. TN23 1PL (01233) 330242 E-mail: ian.grundy@ashford.gov.uk	For information on implementation Patricia Meakins Principal Housing Officer Ashford Borough Council Civic Centre Tannery Lane Ashford, Kent TN23 1PL (01233) 330420 E-mail: pat.meakins@ashford.gov.uk

Introduction

1. The Council requires new housing developments with a capacity of 15 or more dwellings to provide equipped open space and a range of leisure facilities to meet the needs generated by the development.
2. The amount and type of equipped open space and leisure facilities that will need to be provided depends on the size of the proposed development. Research carried out jointly by the Council and Sport England using a Facilities Planning Model has helped to determine the active leisure needs a housing development generates. The table below summarises what will be required based on development size. Development site policies in the Ashford Borough Local Plan provide site specific guidance.
3. Where sites are developed in phases, planning applications for parts will need to relate to an overall proposal for open space and leisure facility provision for the whole site.

Policies and Definitions

4. Policy LE5 deals with equipped open space needs generated by new developments. 'Equipped Open Space' means open space provided to what are today's accepted standards. The Plan's text explains the elements likely to be needed and this is complemented by the document "Standards for the adoption of landscaped areas" which forms part of this guidance note.
5. To summarise, equipped public open space must:
 - be properly laid out and include surfaced paths, lighting where appropriate, seating, litter and dog bins and well designed landscaping;
 - provide both children's playing space and outdoor playing space for youth and adult use in accordance with the National Playing Fields Association standard;
 - be well designed and of high quality and the attention to detail in the specification of materials and fixtures are critically important; and,
 - include appropriate levels of play provision, including sports pitches where needed on larger sites.
6. Any public open space must genuinely be usable and easily accessible, especially for people on foot or cycles. The Plan explains which sort of areas will not count as meeting this requirement (paragraph 10.27).
7. The method for calculating the area of open space required under policy LE5, including an illustrative example, is set out below.
8. Policies LE7 and LE8 deal with play and leisure needs and requirements. As the site capacity increases so does the range of facilities - see the table that follows.
9. The first level of play provision is on sites of 15-99 dwellings where at least 4 items of play equipment suitable for the under 5's, as well as seating, is required.
10. A **Neighbourhood Play Area** (approximate cost £70,00 at 2000 prices) is required for sites with a capacity of between 15 and 99 dwellings. It should cater for children up to eight years old and as a minimum at least eight different types of play equipment must be provided.

11. A Local Play Area (approximate cost £110,00 at 2000 prices) is required for sites with a capacity of between 200 and 499 dwellings. It should cater for children up to eight years and those between eight and fourteen. As a minimum at least eight different types of play equipment for each age group must be provided.

12. A District Play Area (approximate cost £140,000 at 2000 prices) should cater for children in all three age groups (under 8 years, 8-14 years and over 14 years). At least eight different types of play equipment for each age group should be provided. It may be appropriate for large housing sites (over 500) to meet part of their play space requirement by providing or contributing towards district level provision.

13. The multi-use games area should consist of a fenced hard surfaced court (40m x 18m minimum as specified by Sport England) which usually has floodlighting, is marked out and has goals for a variety of activities and a seating area (approximate cost £60,000 at 2000 prices).

14. A community leisure building as a minimum should be fully equipped, normally contain a large hall (at least 16m x 9m), a small hall/meeting room, a squash court (or facilities of equal value) kitchen and refreshment facilities, an office/reception area, toilets and changing rooms, and storage facilities. As squash courts have a limited range of use and are expensive to run and maintain, leisure facilities of equivalent leisure value may be appropriate, for example, a larger hall or multi-use games area.

Contributions to enable open space to be provided off-site - Policy LE6

15. In some cases, it is recognised that due to the size, type, design and location of the new development it may not be practical for adequate public open space to be provided within the boundaries of a new development. A contribution in lieu of the required provision may be acceptable so that the necessary equipped public open space can be provided nearby or improvements made to the range of play facilities on an existing open space. Off-site provision of this kind must meet the leisure needs generated by the development and be easily accessible to the residents concerned.

16. The Council will seek a legal agreement regarding payments to enable the provision of open space. The scale of the contribution needed and the likely project(s) and location(s) where it may be spent will be discussed with applicants as will the timing and phasing of payments. Final decisions about the way the funds are spent will be the Council's but it will adhere to the key principle that the project(s) must realistically be able to cater for needs arising from the development in question. Any contribution not spent in accordance with the agreement will be returned to the developer with interest.

Future maintenance and adoption of Open Spaces and Leisure Facilities by Ashford Borough Council – Policy LE9

17. The Council will need to be satisfied that open spaces and leisure facilities will be properly maintained in future, whether privately or by adoption by the Borough Council. Developers often wish to transfer future responsibility for the maintenance of open spaces to the Council. Provided the Council's requirements and standards are met, it is Council policy to adopt such areas. The open space put forward for adoption must be fully laid out in accordance with these standards and the approved plans. Footpaths and cycleways, play equipment, sports pitches and multi-use games areas must be fully installed, and landscaping schemes completed.

18. The Council has published a guide entitled "Public Open Space Adoption Procedure" which provides advice to developers on the process involved to transfer the future responsibility for the maintenance of open spaces to Ashford Borough Council. It has prepared guidance leaflets titled "Standards for the Adoption of Landscaped Areas" and "Standards for the Adoption of Play, Youth and Sports Facilities" Both documents are attached and form part of this guidance.

19. If leisure facilities are to be transferred to the Council's ownership, a financial guarantee is likely to be required to meet any shortfall in revenue income in relation to reasonable operating costs for a period of no less than five years.

Site Capacity (No. of Dwellings)	Minimum quantity and type of leisure facilities required
15 or over	Equipped public open space - children's playing space: 0.6-0.8 hectare per 1000 population; and outdoor playing space for youth and adult use: 1.6-1.8 hectare per 1000 population. Play equipment - at least 4 items of suitable for the under 5's and seating.
100-199	Equipped public open space that includes a Neighbourhood Play Area.
200-499	Equipped public open space to include: one full size grass sports pitch; one Local Play Area and one court multi-use games area.
500 -599	Equipped public open space to include: one full size grass sports pitch; one District Play Area or one Local Play Area and additional Neighbourhood Play Areas and a one court multi-use games area. One Community/ Leisure Building.
600+	Equipped public open space to include two full size grass sports pitches; one District Play Area or One Local Play Area and additional Neighbourhood Play Areas; one court multi-use games area and two tennis courts. One Community/ Leisure Building including a squash court (or facilities of equivalent value).
1000+	Equipped public open space to include two full size grass sports pitches; one District Play Area or one Local Play Area and additional Neighbourhood Play Areas; one court multi-use games area; and two tennis courts. One Community/ Leisure Building including a squash court (or facilities of equivalent value). Additional facilities will also be required to provide a proportional increase in the range and scale of facilities reflecting the size of the development.

BLP policies	<ul style="list-style-type: none"> • LE5, LE6, LE7, and LE8 - Open space, play areas and leisure facilities. • LE9 - Maintenance of open spaces.
Sites covered by policy	<ul style="list-style-type: none"> • LE5, LE6, LE7, and LE8 - All sites with a capacity of 15 or more dwellings. • LE9 - All sites.
Policy requirements	<p>LE5</p> <p>Provision should be made in new residential developments with a capacity of 15 or more dwellings for equipped public open space to meet the needs generated by the development, according to the following minimum standards:</p> <p>a) children's playing space: 0.6-0.8 hectare per 1000 population; and</p> <p>b) outdoor playing space for youth and adult use: 1.6-1.8 hectare per 1000 population.</p> <p>In applying these standards, account will be taken of the size and type of the dwellings involved, and whether the needs generated by that development could reasonably be met by an existing over provision of suitable, equipped public open space in the locality. On smaller sites covered by this policy it may be more appropriate to provide contributions to improvements to existing open space in the area in lieu of on-site provision. (See policy LE6).</p> <p>LE6</p> <p>In circumstances where the necessary public open space cannot be provided within the development, or on suitable land in the control of the applicant, it may be acceptable for an appropriate financial contribution by the developer to be made to provide equivalent public open space nearby or improvements to existing open space nearby which would, in the Council's view, be of equivalent leisure value.</p> <p>LE7</p> <p>New residential proposals should make provision for the following children's play facilities to meet the leisure needs generated by the development:</p> <p>a) sites with a capacity of 15-99 dwellings should include items of play equipment as part of equipped open space provision, either on site or at an appropriate nearby site;</p> <p>b) sites with a capacity of up to 100-99 dwellings should provide a 'neighbourhood play area';</p> <p>c) sites with a capacity of 200 or more dwellings should provide a 'local play area'; and,</p> <p>d) residential sites with a capacity of 500 or more dwellings should provide additional 'neighbourhood play areas' in addition to a 'local play area' for every 200 additional dwellings.</p> <p>In applying these standards, account will be taken of the scale of the proposed development, the size and type of dwellings involved, and whether the needs generated by the development could reasonably be met by any existing facilities in the locality.</p> <p>LE8</p> <p>New residential developments will be requested to provide the following leisure facilities to meet the leisure needs generated by the development:</p> <p>a) sites with a capacity of 200 - 499 dwellings will provide a sports pitch and outdoor multi-use games area;</p> <p>b) sites of over 500 will provide, in the addition to the above, a multi-purpose community leisure building;</p> <p>c) sites of over 600 will provide in addition to the above a second sports pitch, 2 tennis courts and a squash court (or facilities of equal value); and,</p> <p>d) sites of over 1,000 should provide a proportionate increase in the range and scale of facilities reflecting the size of the development.</p> <p>LE9</p> <p>Where equipped open space (including play facilities), landscaped areas, woodland or protected habitats are proposed as part of a development, the Council will need to be satisfied that it will be properly maintained in future, whether privately or by adoption by the Council.</p>

Calculation method for Open Space	<p>Number of dwellings to which the policy applies</p> <p>↓</p> <p>Multiplied by</p> <p>average household size in the Borough ¹</p> <p>↓</p> <p>Equals</p> <p>estimated population of new development</p> <p>↓</p> <p>Multiplied by</p> <p>open space standard (2.4 hectares per 1000 people)</p> <p>↓</p> <p>Divided by</p> <p>1000</p> <p>↓</p> <p>Equals</p> <p>Area of equipped public open space to be provided</p> <p>1. For the purpose of this calculation, the average household size in the Borough is 2.52 people (1991 Census). The Borough Council is currently discussing with KCC the issue of updating this figure prior to information becoming available from the 2001 Census.</p>	
Illustrative example	<p>Development site with a capacity of 200 dwellings</p>	<p>↓</p> <p>200 dwellings</p> <p>↓</p> <p>200×2.52 people</p> <p>=</p> <p>↓</p> <p>504 people</p> <p>↓</p> <p>504×2.4 hectare</p> <p>=</p> <p>↓</p> <p>$1209.6 \div 1000$</p> <p>=</p> <p>1.21 hectare of equipped public open space</p>
Contacts	<p>For general policy advice contact</p> <p>Stella Bandu Planning Policy Unit Ashford Borough Council Civic Centre Tannery Lane Ashford, Kent TN23 1PL (01233) 330240 E-mail: stella.bandu@ashford.gov.uk</p>	<p>For specific advice on the design, layout and adoption contact</p> <p>Giles Hewson Landscape and Conservation Unit Ashford Borough Council Civic Centre Tannery Lane Ashford, Kent TN23 1PL (01233) 330485 E-mail: giles.hewson@ashford.gov.uk</p>

Green Corridor Action Plan & Contributions to the Green Corridor - Policy EN14

1. The riverside areas in Ashford are known as the "green corridors". They provide welcome breaks between built-up areas of new and old development, opportunities to create footpaths and cycleways and provide open spaces of recreation, landscape and ecological value. They are a fundamental part of the overall planning strategy for the town and the Council seeks to protect and enhance them.

2. There are a number of sites adjoining the river corridors that have been allocated for development in the Ashford Borough Local Plan. Policy EN14 explains how the developers of these sites must make a positive contribution to the function and amenity value of the corridors.

EN14 Development proposals on land adjoining the "green corridors" in Ashford will be permitted, provided they also make a positive contribution to the function and amenity value of these corridors - for example, by improving their appearance and habitat value, providing pedestrian and cycle routes and related leisure opportunities.

3. The Borough Council has prepared a "Green Corridor Action Plan" which has been adopted as supplementary planning guidance. The acceptability of proposals for development will need to be judged in the context of this guidance which sets out detailed proposals for improving the riverside environment, including indicating the "positive contribution" the Council expects developments along side the "green corridor" to make. Development Sites policies in the Ashford Borough Local Plan provide site specific guidance.

4. For general policy advice and information concerning the green corridors, or to purchase a copy of the Green Corridor Action Plan contact:

Stella Bandu
Planning Policy Unit
Ashford Borough Council
Civic Centre
Tannery Lane
Ashford, Kent TN23 1PL

(01233) 330240
E-mail: stella.bandu@ashford.gov.uk

Introduction

1. Education contributions are negotiated by the Borough Council on behalf of the County Council, as the Local Education Authority.
2. When a planning application is submitted for a site with 10 or more dwellings, the Borough Council will consult the County Council to find out the cost of meeting the primary and secondary education needs generated. The County Council will take into consideration the number of children likely to live on the new site, the capacity of existing local schools and the current cost of providing additional school places (based on the County's own average build costs that are updated annually).
3. The method used to make this calculation, including an illustrative example, is set out overleaf. Please note that these figures are illustrative and will change over time. The most recent figures (1999) are as follows:
4. Build costs multipliers (per place)
 - Primary extension £4,450
 - Primary new school £7,700
 - Secondary extension £7,450
 - Secondary new school £14,400
5. The timing of the education contribution or, for large sites the provision of the new school, will be a matter for negotiation with the Local Education Authority. This will be on a site by site basis and will take into account when the facilities will be needed.
6. Financial contributions will be paid to the Local Education Authority. Should all, or part of the contribution not be used to meet the need generated within an agreed period of time (a minimum of 5 years) the legal agreement will require that the contribution is returned to the developer, with interest.
7. Separate Supplementary Planning Guidance covers the issue of affordable housing and the contributions that it makes to the provision of education facilities.

BLP policy	CF21- Education Contributions	
Sites covered by policy	All housing sites with a capacity of 10 or more dwellings (including windfall sites not identified within the Plan)	
Policy requirement	<p>"The Council will seek the costs of primary and secondary school facilities that are generated as a direct result of housing proposals and where the need arises from the implementation of that scheme. Such planning obligations will be related in proportion to the scale and nature of the proposed development, taking account of the existing pattern of school provision and the existing pupil capacity at local schools."</p>	
Exclusions	<ul style="list-style-type: none"> Any part of the requirement that can be met within existing local school surplus capacity. E.g. no contribution will be required if the capacity exists in local schools. Any types of dwellings that will not be occupied by people with school age children (e.g. sheltered housing). 	
Calculation method	<p style="text-align: center;">No. of dwellings to which the policy applies (total - exclusions)</p> <p style="text-align: center;">↓</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Multiplied by pupil product ratio for primary aged children ¹</p> <p>↓</p> <p>Equals number of primary places generated</p> <p>↓</p> <p>Minus any surplus capacity in local primary schools (2 mile catchment or nearest school)</p> <p>↓</p> <p>Multiplied by cost of providing a primary school place ²</p> </div> <div style="text-align: center;"> <p>Multiplied by pupil product ratio for secondary aged children ¹</p> <p>↓</p> <p>Equals number of secondary places generated</p> <p>↓</p> <p>Minus any surplus capacity in local secondary schools (3 mile catchment or nearest school)</p> <p>↓</p> <p>Multiplied by cost of providing a secondary school place ²</p> </div> </div> <p style="text-align: center;">↓</p> <p style="text-align: center;">Equals Total financial contribution required</p> <p>1. Figure taken from KCC/Colliers Erdman Lewis survey (1999). 0.37 primary pupils / dwelling, 0.15 secondary pupils per dwelling. 2. Figure based on Average KCC build costs. There are four figures used. Primary and secondary places and places within a school extension or in a new school.</p>	
Illustrative example	<ul style="list-style-type: none"> Development site with a capacity of 200 dwellings. Local primary schools have 25 surplus places. Local secondary schools have 15 surplus places. Contributions being sought to extend existing schools rather than build new schools. 	<p style="text-align: center;">200 capacity</p> <p style="text-align: center;">↓</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>200×0.37</p> <p>=</p> <p>↓</p> <p>74 Primary school places generated</p> <p>↓</p> <p>$74 - 25 = 49$ additional primary places required</p> <p>↓</p> <p>$49 \times £4,450$</p> <p>primary contribution = £218,050</p> </div> <div style="text-align: center;"> <p>200×0.15</p> <p>=</p> <p>↓</p> <p>30 Secondary school places generated</p> <p>↓</p> <p>$30 - 15 = 15$ secondary places required</p> <p>↓</p> <p>$15 \times £7,450$</p> <p>secondary contribution = £111,750</p> </div> </div> <p style="text-align: center;">↓</p> <p style="text-align: center;">Total education contribution = £329,800</p>
Contacts	<p>For general Policy advice on CF21</p> <p>Simon Bandy Planning Policy Unit Ashford Borough Council Civic Centre , Tannery Lane Ashford , Kent TN23 1PL</p> <p>(01233) 330229 E-mail: simon.bandy@ashford.gov.uk</p>	<p>For information on the education contribution required from individual housing sites (Ashford Borough only)</p> <p>Allan Gilbert Kent Property Services Kent County Council Gibson Drive Kings Hill, West Malling Kent ME19 4QG</p> <p>(01622) 221364 E-mail: allan.gilbert@kent.gov.uk</p>

ADOPTION PROCEDURE SUMMARY

The developer first notifies the Local Planning Authority, the Development Implementation Manager (DIM), of the intention to offer up any open space and associated facilities for adoption by the Local Authority during the planning application pre-submission discussions.

Upon receipt of planning approval, the developer requests the Leisure & Community Services Manager (L&CSM) to instigate the adoption procedure. The L&CSM then calculates a commuted sum figure for up to a ten year period from an estimate of the annual maintenance costs of the open space in question. The commuted sum takes into consideration an estimate of the likely annual inflation over the ten-year period and investment rates of interest that the Council might reasonably achieve.

The Agreement is then drawn up and engrossed for execution by the relevant parties. The Developer pays 50% of the commuted sum and all the supervision and legal fees upon entering the Agreement. The Developer then completes all landscaping works within nine months of the date of the Agreement in accordance with the Council's "Standards for the Adoption of Landscaped Areas".

The Developer must apply in writing to the L&CSM for the issue of the relevant Certificates upon both commencement and completion of the 12 months maintenance period. The L&CSM will not issue the relevant Certificates whilst any associated planning conditions and maintenance requirements remain outstanding.

Upon receipt of the remaining 50% commuted sum payment due and transfer of the open space land to the Borough Council, Certificate 2 will be issued and the Developer absolved of all future maintenance liabilities for the land in question.

PUBLIC OPEN SPACE ADOPTION

The Ashford Borough Local Plan (June 2000) recognises that developers often wish to transfer responsibility for the maintenance of open spaces and associated facilities to the Borough Council. It is the Borough Council's policy to adopt such areas subject to the completion of a Section 9 Agreement. In addition, the Borough Council requires that the standards laid out in the guidance notes "Standards for the Adoption of Landscaped Areas" and "Standards for the Adoption of Play, Youth and Sports Facilities" are fully satisfied before such areas and associated facilities are adopted.

SECTION 9 AGREEMENTS

The means by which a local authority can acquire land for open space is provided under Section 9 of the Open Spaces Act 1906. For the Borough of Ashford, this arrangement takes the form of a Section 9 Agreement.

The Section 9 Agreement is similar to a Section 38 Highways Act Agreement in that the developer agrees to undertake certain works which are then inspected by the Borough Council. Commuted sum payments are made and certificates issued at various stages ultimately leading to the transfer of the land and facilities to Ashford Borough Council.

FURTHER INFORMATION

Further information regarding general standards and adoption procedures can be obtained from the Leisure & Community Services Manager, Community Services Directorate:

Tel: (01233) 330485

Fax: (01233) 330620



Public Open Space Adoption Procedure

Guidance Notes for Section 9 Agreements

COMMUNITY SERVICES DIRECTORATE
CIVIC CENTRE TANNERY LANE
ASHFORD KENT TN23 1PL

No.	STAGE	DESCRIPTION	LEADING BODY
1.	PLANNING APPLICATION RECEIVED	Application submitted to Development Implementation Manager (DIM) by Developer.	DEVELOPER
2.	OPEN SPACE PROVISION	Development sufficiently large to require provision of open space in accordance with the Borough Local Plan and open space offered to Ashford Borough Council (ABC) for adoption.	DIM
3.	OPEN SPACE CONSULTATION	Leisure & Community Services Manager (L&CSM) consulted over general open space provision i.e. size/layout & design.	L&CSM
4.	PLANNING APPLICATION GRANTED	Details for open space & associated facilities agreed and final plans/layouts submitted. Section 9 Agreement requirement confirmed by Developer.	DIM
5.	CALCULATION OF ANNUAL MAINTENANCE FIGURE	Annual maintenance costs for the open space & associated facilities calculated from the existing ABC Grounds Maintenance schedules.	L&CSM
6.	CALCULATION OF COMMUTED SUM FIGURE	Calculation of commuted sum figure from maintenance costs in relation to RPI and interest rates over a 10 year period by the Financial Services Manager (FSM).	FSM
7.	SECTION 9 AGREEMENT	Agreement drafted by Legal Services Manager (LSM). Developer pays 50% of the commuted sum plus all supervision and legal fees on entering Agreement and agrees to pay the balance prior to transfer of the open space to ABC.	LSM
8.	OPEN SPACE LAID OUT AND LANDSCAPING COMPLETED	Developer completes all works within 9 months of the date of the Agreement. Agreement between parties required should timescale be inconsistent with planning conditions.	DEVELOPER
9.	APPLICATION FOR CERTIFICATE 1	Developer applies in writing to L&CSM for the issue of Certificate 1 on completion of the relevant works.	DEVELOPER
10.	FIRST SITE INSPECTION	DIM advised by L&CSM to inspect works to ensure that all landscape conditions have been met.	DIM
11.	SECOND SITE INSPECTION	On acceptance, L&CSM inspects works to ensure that all maintenance requirements are completed satisfactorily.	L&CSM
12.	CERTIFICATE 1 ISSUED TO DEVELOPER	Certificate 1 issued on satisfactory implementation of the works including any outstanding remedial works identified by L&CSM.	L&CSM
13.	12 MONTHS MAINTENANCE PERIOD COMMENCES	Site maintained by Developer for 12 months with L&CSM making interim inspections and informing Developer of remedial works as necessary. LSM instructed to commence transfer procedure during maintenance period.	DEVELOPER
14.	APPLICATION FOR ISSUE OF CERTIFICATE 2	Developer applies in writing to L&CSM for Certificate 2 on completion of 12 months maintenance period.	DEVELOPER
15.	FINAL SITE INSPECTION	Site inspected by L&CSM to ensure that all maintenance requirements are completed satisfactorily.	L&CSM
16.	PAYMENT OF OUTSTANDING BALANCE & TRANSFER OF LAND	On receipt of all outstanding payments from the Developer LSM effects transfer of the open space land. Developer absolved of all future maintenance liabilities for the open space.	LSM
17.	CERTIFICATE 2 ISSUED TO DEVELOPER	Certificate 2 issued by L&CSM and open space & associated facilities adopted by ABC.	L&CSM
18.	INCLUSION OF SITE WITHIN GROUNDS MAINTENANCE CONTRACT	Relevant instruction issued by L&CSM to the ABC Grounds Maintenance Contractor and open space and associated facilities maintained in perpetuity by ABC.	L&CSM

GENERAL ADOPTION CRITERIA

Landscaped areas and associated facilities proposed for adoption must be easily accessible and available for use and enjoyment by the residents of the proposed development or the wider public. The design and implementation of such areas and facilities must be in accordance with recognised best practice and current British or equivalent European Standards. Any open space layout or facilities provision must be designed with due consideration for appropriateness of use, accessible for people with disabilities, health and safety and ease of maintenance.

The Borough Council will adopt equipped open space and associated facilities such as play areas, youth facilities, sports pitches and Multi-Use Games Areas. Riverside areas, ponds, woodlands, screening or "buffer zones" and informal open space areas will also be considered for adoption. However, the following landscaped areas or facilities will not normally be adopted by the Borough Council except in exceptional circumstances:

- Balancing ponds
- Incidental landscape strips or small landscaped areas
- Landscaped highway verges
- Footpath/cycleways & lighting

Balancing ponds should be designed either as functional open space, which will then be accepted for adoption, or otherwise arrangements made with Southern Water for their adoption. Small, incidental areas of open space should be avoided through careful design and not simply incorporated within the curtilage of adjacent properties. Highway verges and footpath/cycleways and associated street lighting should be adopted under a Section 38 Highways Act Agreement.

PUBLIC OPEN SPACE ADOPTION

Policy LE9 of the Ashford Borough Local Plan (June 2000) states:

"Where equipped open space (including play facilities), landscaped areas, woodlands or protected habitats are proposed as part of a development, the Council will need to be satisfied that it will be properly maintained in future, whether privately or by adoption by the Council"

Developers often wish to transfer responsibility for the maintenance of open spaces and associated facilities to the Borough Council. It is the Borough Council's policy to adopt such areas provided that the standards laid out in these guidance notes and those contained in the leaflet "Standards for the Adoption of Play, Youth and Sports Facilities" are fully satisfied.

All open spaces and associated facilities proposed for adoption are acquired by the Borough Council under the terms of either a Section 9 Agreement or Section 106 Planning Agreement. The adoption procedure for the former arrangement is detailed in the leaflet "Public Open Space Adoption Procedure – Guidance Notes for Section 9 Agreements" which should be read in conjunction with these guidance notes.

FURTHER INFORMATION

Further information regarding general standards and adoption procedures can be obtained from the Leisure & Community Services Manager, Community Services Directorate

Tel: (01233) 330485

Fax: (01233) 330620



Standards for the Adoption of Landscaped Areas

Guidance Notes for the Provision of Equipped Open Space Proposed for Adoption

COMMUNITY SERVICES DIRECTORATE
CIVIC CENTRE TANNERY LANE
ASHFORD KENT TN23 1PL

Site Clearance:

All site features proposed to be retained must be adequately protected from damage during the execution of the works by appropriate fencing. No storage of materials, rubbish, plant or machinery, excavation or topsoil disturbance shall take place within the branch spread of trees to be retained. All remedial works to existing trees must be carried out in accordance with BS 3998:1989 "Recommendations for Tree Work".

Topsoil:

Appropriate measures must be taken during the course of the works to protect both existing topsoil and subsoil on site from damage by construction traffic, parking of vehicles, temporary site accommodation or storage of materials.

All imported topsoil shall be general-purpose grade in accordance with BS 3882:1994 "Recommendations and Classification for Topsoil" and free from stones, weeds and other alien materials. Topsoil must be handled in the driest condition possible to avoid compaction and be spread in layers not exceeding 100mm in depth. Finished levels of topsoil shall be 25mm above adjacent hard surfaces after settlement and be married into adjoining grass or soil areas.

Grassed Areas:

Proposed seed and turf beds must be reduced to a fine tilth, graded to achieve smooth flowing contours, with all stones over 25 mm in diameter and other deleterious materials removed. All beds must receive an application of 10:15:10 NPK fertiliser evenly spread over all areas to be seeded or turfed at a rate of 0.06 Kg/sq.m at least three days prior to final cultivation.

Grass seed shall be a standard amenity mix evenly sown at a rate of 25-35g/sq.m. Turf must be supplied and laid in accordance with BS 3969:1998 "Recommendation for Turf for General Landscape Purposes".

Planting:

All proposed plant stock must be supplied in accordance with the relevant part of BS 3936, be of local provenance wherever possible and be handled, transported and planted in accordance with CPSE "Handling & Establishing Landscape Plants" obtainable from the Horticultural Trades Association.

Shrub planting beds must be cultivated to a minimum depth of 300mm and tree pits excavated 150mm wider than the roots of the tree when fully spread. All trees and shrubs must receive an application of a controlled release fertiliser at a rate of 150g/tree and 30g/shrub, evenly mixed with backfill material consisting of two-thirds topsoil and one-third peat free compost. All plants must be well watered in immediately following planting at a rate of 25 ltrs./tree and 5 ltrs./shrub.

Each tree must be double staked with two cross bars and secured with robust rubber ties and spacers to prevent chaffing of the stem and bark. Planting beds and tree pits, including those located within grassed areas, must receive a cover of medium grade bark mulch at a minimum depth of 50mm.

SITE FURNITURE STANDARDS**Seating:**

All seating must be selected as appropriate for the site in question from the "Polyboard Range" of recycled plastic seats supplied by Streetmaster Products – Tel: (01639) 845394. Seats must be specified with a "Street-Tough Finish" and tamper resistant fastenings. All seating must be located on a hard surfaced pedestalled base and installed using rawbolt fixings as recommended by the manufacturer.

Litter & Dog Bins:

Litterbins must be "Cardiff" open topped bins with a "Street-Tough" finish supplied by Streetmaster Products and installed on a hard surfaced base using rawbolt fixings. Dog bins must be "Retriever 60" dog-foul containers installed in accordance with the manufacturer's recommendations supplied by Glasdon UK Ltd – Tel: (01253) 694811.

Lifebuys:

An appropriate number of lifebuys in strategic locations will be required for all sites with open water bodies. Lifebuys must be 24" buoys with post-mounted housings supplied by Glasdon Designs Ltd – Tel (01282) 616221.

MAINTENANCE STANDARDS

All landscaped and open space areas, including associated facilities, must be maintained by the developer for a minimum of 12 months in accordance with the requirements of the Council's Public Open Space Adoption Procedure. All such areas and facilities must remain accessible to the general public throughout the maintenance period.

The purpose of this maintenance period is to ensure that the areas in question are maintained in an acceptable condition until formal adoption and to aid the establishment of all plant material. Developers are strongly advised to make arrangements for the watering of all plant material throughout the maintenance period and particularly during the summer months.

All dead, diseased, dying or stressed plant material must be replaced at the start of the next available planting season in accordance with the approved landscape scheme.

During the maintenance period planting beds must be kept weed free, litter must be collected, tree stakes and ties must be checked and adjusted as required.

Grassed areas must be cut at least 12 times throughout the year. Edges to grassed areas must be formed at least annually and cut 12 times during the maintenance period, the latter requirement to coincide with general grass cutting operations on site. All arisings must be removed from site and disposed of at an approved tip.

No landscaped and open space areas or associated facilities will be formally adopted unless they have been maintained to the satisfaction of the Borough Council throughout the maintenance period and up to the date of formal adoption.

GENERAL ADOPTION CRITERIA

The Borough Council will adopt facilities such as play areas, youth facilities, sports pitches and Multi-Use Games Areas where they are provided as part of equipped public open space. However, the Borough Council will not adopt facilities which are either private or where public access is restricted as opposed to being controlled.

All equipped open space and associated play, youth and sports facilities proposed for adoption must be easily accessible and available for use and enjoyment by the residents of the proposed development or the wider public.

The design and implementation of all facilities must be in accordance with recognised best practice and current British or equivalent European Standards. In addition, all proposed facilities and associated equipped open space must be designed with due consideration for appropriateness of use, accessibility for people with disabilities, health and safety and ease of maintenance.

A commuted sum for up to a ten-year period will be required for all facilities proposed for adoption by the Borough Council.

These adoption criteria do not apply to the provision of community facilities such as drop-in centres, community halls, children's nurseries or larger scale leisure facilities such as Leisure Centres or specialist sports facilities such as bowling greens and tennis courts. However, it should be noted that such facilities could be required by the Local Plan as part of a proposed development. The relevant standards and adoption arrangements for these types of facilities will be contained in the site brief and/or the Section 106 Planning Agreement for the specific site in question.

PUBLIC OPEN SPACE ADOPTION

Policy LE9 of the Ashford Borough Local Plan (June 2000) states:

"Where equipped open space (including play facilities), landscaped areas, woodlands or protected habitats are proposed as part of a development, the Council will need to be satisfied that it will be properly maintained in future, whether privately or by adoption by the Council"

Developers often wish to transfer responsibility for the maintenance of equipped open space to the Borough Council. It is the Borough Council's policy to adopt such areas and associated play, youth or sports facilities provided that the standards laid out in these guidance notes and those contained in the leaflet "Standards for the Adoption of Landscaped Areas" are fully satisfied.

All open spaces and associated facilities proposed for adoption are acquired by the Borough Council under the terms of either a Section 9 Agreement or Section 106 Planning Agreement. The adoption procedure for the former arrangement is detailed in the leaflet "Public Open Space Adoption Procedure – Guidance Notes for Section 9 Agreements" which should be read in conjunction with these guidance notes.

FURTHER INFORMATION

Further information regarding general standards and adoption procedures can be obtained from the Leisure & Community Services Manager, Community Services Directorate

Tel: (01233) 330485
Fax: (01233) 330620



Standards for the Adoption of Play, Youth & Sports Facilities

Guidance Notes for the Provision of Equipped Open Space Proposed for Adoption

COMMUNITY SERVICES DIRECTORATE
CIVIC CENTRE TANNERY LANE
ASHFORD KENT TN23 1PL

PLAY AREA STANDARDS

The Borough Council has produced a standard for play provision in the form of a series of thresholds which relate to the proposed size of a development. These standards have evolved from the National Playing Fields Association "Six Acre Standard" as modified by the Borough Council's Play Action Plan and are included under policy LE7 of the Borough Local Plan as follows:

Table 1:

ABC Standard	NPFA nearest Equivalent	Dwelling Threshold	Age Groups	Items of Equipment
Equipped Open Space	N/A	15-99	Under 5 years	4 minimum
Neighbourhood Play Area	LEAP	100-199	Under 8 years	8 minimum
Local Play Area	N/A	200-499	Under 8 & 8-14	8 items for each age group (16)
District Play Area	NEAP	500 plus	Under 8, 8-14 & 14 plus	8 items for each age group (24)

General Play Area Specification:

Play areas must be designed to include the following requirements:

- sufficient play equipment appropriate for the relevant age groups (see Table 1).
- impact absorbing playground surfacing under equipment where relevant.
- level hard paved access into and around the play area linking all equipment and site furniture.
- adequate robust seating and litter bin provision.
- dog-proof fencing enclosing the entire play area with appropriate self-closing access gates.
- provision of a grassed area within the fenced site for informal tumble play.
- planting to integrate the play area into the surrounding open space and to provide a "buffer zone" or screen where required.

- signage boards at each entrance indicating ownership, recommended age-ranges, emergency telephone numbers, location of the nearest public telephone and dog-free byelaws.

Play Equipment and Safety Surfacing:

All play equipment must comply with BS EN 1176 (Parts 1 to 7) Joint British and European Standard and carry manufacturers guarantees against rust, rot, and structural failure.

Safety surfacing will be required under all equipment with a potential fall height of 600mm or over. All safety surfacing must comply with BS EN 1177 and be covered by a 5-year manufacturers guarantee. The Borough Councils clear preference is for bound rubber crumb safety surfacing with an EPDM wearing course contained by a suitable ridged edging material as recommended by the Association of Play Industries. Loose fill impact-absorbing playground surfacing such as sand or play bark will not be acceptable.

Fencing:

All play areas must be enclosed with dog-proof fencing 900-1000 mm in height. At least two self-closing pedestrian gates must be provided separately from the maintenance gates, which must be double-leafed and lockable. The Borough Councils standard fencing specification is a half-log timber palisade system with a galvanised steel frame and steel posts. This system is currently available in the form of "Chertsey" fencing supplied by Fawns Recreational Services Ltd - Tel: (01252) 515199.

YOUTH FACILITIES STANDARDS

Youth facilities include adventure play areas, skateboard parks or other wheeled sports areas, basketball facilities and meeting areas for teenagers. At least one or a range of these facilities are likely to be required for play areas in both the Local and District play area categories (see Table 1). Further guidance regarding the design and implementation of youth facilities, including relevant safety and best practice standards, can be obtained from the Borough Council upon request.

SPORTS FACILITIES STANDARDS

Policy LE8 of the Borough Local Plan requires new residential developments to provide a sports pitch and a Multi-Use Games Area where sites have a capacity of between 200 and 499 dwellings. A second sports pitch is also required for sites with a capacity of over 600 dwellings in addition to other specified sports facilities.

Sports pitches must be designed, laid out and equipped in accordance with Sports England's guidance note "Natural Turf for Sport" (ref. 0920) and the Football Association's standards outlined in their publication "Law 1 – The Field of Play".

Multi-Use Games Areas must comprise of a floodlit and fenced hard surfaced court with minimum dimensions of 40m by 18m. These facilities must be designed in accordance with the guidance notes for Multi-Use Games Areas issued by the Sports Council (now Sports England) 1994 and the British Standard Product Assessment Specification PAS30 for "Outdoor Recreation Multi-Sports Equipment" 1998.

Where a multi-purpose community leisure building is also required under Policy LE8, this facility should be co-located with any proposed sports facilities in order to allow for their most efficient and effective use and management.

GENERAL MAINTENANCE STANDARDS

Prior to their formal adoption, all open space areas and associated play, youth and sports facilities must be maintained by the developer for a minimum of 12 months in accordance with the Council's Public Open Space Adoption Procedure. All such areas and facilities must remain fully assessable to the general public and be maintained in a safe and serviceable condition throughout the 12 months maintenance period.

The Borough Council will not formally adopt play areas and Multi-Use Games Areas prior to the receipt of independent risk assessments, copies of all relevant guarantees and manufacturer's inspection schedules and the accident record for facilities concerned.