



**Local Plan for the Broads**  
**Broads Authority response to Matter 8 - Open space, community facilities and health and well-being**  
**June 2018**

***Issue – Does the Plan set out positively prepared policies for protecting and enhancing open space, community facilities and health and well-being which are justified, effective and consistent with national policy?***

**[Chapter 11 – Open space, play and allotments: Policy PUBDM6]**

**[Chapter 12 – Green infrastructure: Policy PUBDM7]**

**[Chapter 27 – Visitor and community facilities: Policies PUBSP16, PUBDM43]**

**[Chapter 32 – Site specific policies: Policies PUBSSPUBS, PUBSSLGS]**

**[Chapter 28 – Health and wellbeing: Policy PUBDM44]**

**Questions**

- a) Are all existing open spaces, sports fields, play areas and allotments in the Broads captured on the policies map, or have size thresholds/other criteria been applied?
  - i. *The policies maps show the open spaces etc. that are located in the Broads which have come forward from the districts' open space studies. The ones that are shown on the policies maps will have been assessed according to the methodology used for the open space assessments, including the thresholds and criteria used by the districts. To be clear, the policies in the districts' local plans protect the open spaces etc. in their area whilst PUBDM6 protects the open space etc. within the Broads area.*
- b) Does Policy PUBDM6 provide an effective framework for protecting and enhancing the provision of open space, play space and allotments?
  - i. Are criteria i), ii) and iii) in section a) justified and in line with paragraph 74 in the NPPF?
- A. *Yes. The Authority worked with Sport England following their (and others) representations to the Preferred Options consultation. The Authority undertook a single issue consultation on this policy (see paragraph 4.8, page 11 of LP-SUB1a). The Environment Agency requested some amendments to the policy which appear reasonable (see LP-SUB2 proposed change 30 and 31).*

- ii. Where open space, play space or allotments are included in the Regulation 123 lists of CIL Charging Authorities, what standards/contributions will be sought via planning obligations in the Broads part of these areas?

[In its response the Authority is requested to provide i) an overview of current open space standards and assessment documents, and future plans for review in all constituent Councils, and ii) information on CIL Charging Schedules in all constituent Councils, including details of whether open space, play areas and allotments are included in Regulation 123 lists]

*A. Please see Appendix A. The table in Appendix A sets out the approach taken by our constituent district councils, which includes the updated information on their future plans as well as the current status on CIL. It also sets out how contributions will be sought for each district.*

c) Is the Authority's approach to the assessment and selection of Local Green Spaces robust and in line with paragraph 77 in the NPPF? Is Policy PUBSSLGS justified, effective, and consistent with Policy PUBDM6?

- i. Yes, the assessment of Local Green Spaces is in line with Paragraph 77 of the NPPF. The form completed by those wishing to put a site forward for consideration is included at Appendix D, page 162 and 163 of LP-IO1. This form was completed and site visits were undertaken for each nomination.*
- ii. In terms of site selection, the sites were put forward by the community or individuals as areas important to them. Some sites were not allocated and detail is set out in EB18 (see page 47 and 48).*
- iii. The sites allocated and the wording of policy PUBSSLGS are in line with NPPF Paragraphs 76 and 77.*
- iv. PUBDM6 protects the open space areas identified in the open space studies of our districts. The Local Green Spaces allocated in the Local Plan under PUBSSLGS were not identified in the districts' open space assessments; instead they were identified by the community in response to the call for nominations for Local Green Spaces in the Issues and Options consultation as important places. New areas of Local Green Space will come forward through Neighbourhood Plans and reviews of the Local Plan. Areas of open space are likely to be created in line with relevant standards of the district (as set out in PUBDM6). So PUBDM6 is not relevant to PUBSSLGS as they are two different policies that protect two different types of open space; PUBDM6 relates to open space etc. coming from the districts' studies and PUBSSLGS relates to Local Green Spaces nominated by the community.*

d) Does the Plan provide clarity regarding the location and extent of the local green infrastructure network in the Broads?

- i. By referring to the "local" green infrastructure network, the Authority means green infrastructure on site or close to the site. This could usefully be added to the reasoned justification of this policy.*

- ii. *Of relevance to the application of this policy are three different strategies which are as follows: the Norfolk Strategic Planning Framework (LP-SUB10 from page 69) is finalising work relating to ecological networks within the County, Waveney District Council has produced a Green Infrastructure Strategy<sup>1</sup> (2015), and the Broads Authority has an Integrated Access Strategy<sup>2</sup> (2013) that is also of relevance.*
  - iii. *To aid the understanding and interpretation of strategies related to green infrastructure, it is intended to produce a Supplementary Planning Document or guide relating to the ecological network and green infrastructure studies and how they apply to the Broads. It is intended to complete this within a year of adoption of the Local Plan.*
  - iv. *In the meantime, it is proposed that the studies identified in ii) above are used to implement policy PUBDM7 and they could usefully be referenced in the supporting text. It is therefore proposed that the following text is added to the supporting text of PUBDM7: 'The Authority intends to produce guidance relating to ecological networks and the Broads. In the interim, the Waveney Green Infrastructure Study, the Broads Integrated Access Strategy and Norfolk Strategic Planning Framework Ecological Networks Study will be used to assist in the implementation of this policy'.*
- e) Does Policy PUBDM43 provide a clear framework for assessing applications for the change of use or redevelopment of community facilities or services? Is criterion d) justified in the case of shops and other commercial community facilities?
- i. *The Authority has acknowledged the Inspector's concern on criterion d) which is not fully justified. On reflection, the policy could be improved as follows. This would mean that the criteria are 'or' rather than 'and' as written in the Publication Local Plan policy and this would provide a clearer framework:*

*Applications for the change of use or redevelopment of an existing community, visitor or recreational facility or service that meets a local need or contributes to the network of facilities through the Broads will only be permitted where:*

- a) It can be proven that there is no community need for the service/facility; or*
- b) It can be demonstrated through a viability assessment that the current use is economically unviable; or*
- c) There is an equivalent facility available or one is made available prior to the commencement of redevelopment, to serve the same need in an equally accessible and convenient location.*

<sup>1</sup> <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Background-Studies/Green-Infrastructure-Strategy.pdf>

<sup>2</sup> <http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/recreation-and-tourism/access>

*In all instances, details of consultation with the community regarding the change of use or redevelopment need to be provided.*

- f) How would Policy PUBSSPUBS, which seeks to protect waterside public houses, operate alongside Policy PUBDM43?
- i. Waterside pubs in the Broads provide a particularly important function, offering facilities for the local community and visitors. They are a key part of any waterside holiday and, in addition to the food and drink offer, may provide water, basic groceries, showers, laundry, visitor information and other facilities; some also offer accommodation or relate to local campsites. They also make a significant contribution to the local economy, including providing employment. They are very important to the Broads and hence are accorded their own policy.*
  - ii. Waterside pub sites are invariably in attractive locations, so they are vulnerable to pressures for change of use to residential. It is the experience of the Broads Authority that appropriate investment and good management is key to retaining these facilities in viable commercial use and that subject to this they can be retained in this important use. Change of use, particularly on viability grounds as permitted by PUBDM43, is only very rarely justified and planning policies should seek to provide the highest level protection.*
  - iii. On reflection, it is considered inappropriate to refer to pubs in PUBDM43 and it is proposed to remove the reference so that PUBDM43 refers to community etc. facilities except pubs. We propose moving the existing references to pubs in PUBDM43 and text and putting in this sentence: 'Pubs are important to the community and the economy of the Broads and are addressed in a separate policy PUBSSPUBS'.*
- g) Is the requirement in Policy PUBDM44 for applicants to explain how their developments enhance health and well-being, justified and robustly based? Should this be sought from all sizes of schemes?
- i. The Authority is a signatory to the Health Protocol<sup>3</sup>. This includes a Healthy Planning Checklist (from page 40). Through discussions with Norfolk County Council's public health teams about how to implement the Checklist in the Broads, given that development tends to be small scale and so filling out this checklist might be an unreasonable requirement, it was concluded that the approach as set out in the policy was a proportionate approach to meeting the general requirements of the Checklist.*
  - ii. The policy refers to general types of development rather than size threshold because even smaller scale development has the potential to*

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<sup>3</sup> [http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0018/1055061/App-Policy-Planning-and-Health-document-pc081217.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0018/1055061/App-Policy-Planning-and-Health-document-pc081217.pdf)

*impact on health, either positively or negatively. Importantly, the Authority has provided six general criteria to help guide responses to this policy requirement and expects information proportionate to the specifics of the application being considered.*

- iii. This policy is a way of embedding the principle of healthy environments from the start, with other policies that have relevance to health and wellbeing achieving the aims.*

Appendix 1: Play, Open Space (land), Allotments and our Constituent Authorities – May 2018

The following table sets out the approach currently taken by our constituent councils. They were also asked about their plans for updating their data and potential approach to open space, allotments and play as they review their policies when producing their new Local Plans.

<b>Council</b>	<b>Play – current approach</b>	<b>Open Space (land) – current approach</b>	<b>Allotments – current approach</b>	<b>Future Plans (May 2018)</b>	<b>CIL Status</b>
<i>Broadland</i>	<ul style="list-style-type: none"> <li>Development Management Policies DPD policy RL1 sets standards for formal recreational space provision, applying to development of 5 or more dwellings. This includes children's play space.</li> <li>Recreational Provision in Residential Development SPD 2016 sets out detail of requirements</li> </ul>	<ul style="list-style-type: none"> <li>Development Management Policy EN3 sets out a standard for the provision of informal open space, applying to 5 dwellings or more.</li> <li>RL1 sets a standard for the provision of formal recreational space, including older children's and adults recreational areas such as playing fields.</li> <li>Recreational Provision in Residential Development SPD 2016 sets out detail of requirements</li> <li>PLAYING PITCH STRATEGY &amp; ACTION PLANS GREATER NORWICH AREA FINAL STRATEGY (OCTOBER 2014)</li> </ul>	<ul style="list-style-type: none"> <li>Development Management Policy EN3 sets standards for provision.</li> </ul>	<ul style="list-style-type: none"> <li>Playing Pitch Strategy to be reviewed as part of emerging Greater Norwich Local Plan work.</li> </ul>	<ul style="list-style-type: none"> <li>CIL in place.</li> <li>Open space and play on Regulation 123 register.</li> <li>Provision directly related to a development to be provided through S106 / planning conditions. Strategic provision to be through CIL.</li> </ul>
<i>Great Yarmouth<sup>4</sup></i>	<ul style="list-style-type: none"> <li>Core Strategy CS9, CS15 and CS18 refers to play being an integral part of developments</li> <li>Has a playground map showing where facilities are.</li> <li>Open Space Study 2013.</li> <li>Sport, Play and Leisure Strategy (2015)</li> <li>[Informal] Briefing Note for Developers – Section 106 Agreements (supporting Core Strategy policies CS14 and CS15)</li> </ul>	<ul style="list-style-type: none"> <li>[Informal] Briefing Note for Developers – Section 106 Agreements (supporting Core Strategy policies CS14 and CS15)</li> <li>Open Space Study 2013.</li> <li>Sport, Play and Leisure Strategy (2015)</li> </ul>	Open Space Study 2013.	<ul style="list-style-type: none"> <li>Emerging Local Plan Part 2: Detailed Policies and Site Allocations being produced and will be consulted on shortly (based on FiT standards, but aligned with the identified spaces in local studies)</li> <li>Will be looking for contributions per dwelling and this particular policy is still being drafted, which will include some appropriate thresholds including that for offsite contributions.</li> </ul>	<ul style="list-style-type: none"> <li>No CIL as at May 2018.</li> </ul>

<b>Council</b>	<b>Play – current approach</b>	<b>Open Space (land) – current approach</b>	<b>Allotments – current approach</b>	<b>Future Plans (May 2018)</b>	<b>CIL Status</b>
<i>Joint Core Strategy</i>	<ul style="list-style-type: none"> <li>No Planning related references to play</li> </ul>	<ul style="list-style-type: none"> <li>Refers to Open Space with associated policies.</li> </ul>	<ul style="list-style-type: none"> <li>Policy 20 in relation to open space and allotments, which are identified as essential infrastructure to secure sustainable development.</li> <li>Policies 7 and 8 show generic support for open space provision as part of supporting sustainable communities.</li> </ul>	<ul style="list-style-type: none"> <li>Joint Core Strategy review at an early stage.</li> </ul>	<ul style="list-style-type: none"> <li>Constituent Authorities have CIL.</li> </ul>
<i>North Norfolk</i>	<ul style="list-style-type: none"> <li>Core Strategy refers to Play standards.</li> <li>North Norfolk Open Space and Recreation Study, July 2006.</li> </ul>	<ul style="list-style-type: none"> <li>North Norfolk Open Space and Recreation Study, July 2006.</li> <li>Development Management Policy CT1 and Appendix A sets standards.</li> <li>Interim Practice Guide to Core strategy Open Space Standards Sept 2008</li> </ul>	<ul style="list-style-type: none"> <li>Core Strategy sets standards</li> </ul>	<ul style="list-style-type: none"> <li>Review existing policy and guidelines through emerging Local Plan</li> </ul>	<ul style="list-style-type: none"> <li>No CIL as at May 2018.</li> </ul>
<i>Norwich</i>	<ul style="list-style-type: none"> <li>Development Management Policies DM8 sets standards.</li> <li>Open space and play SPD (2015)</li> </ul>	<ul style="list-style-type: none"> <li>Open Space and play SPD 2015</li> <li>Development Management Policy DM8 sets standards</li> <li>PLAYING PITCH STRATEGY &amp; ACTION PLANS GREATER NORWICH AREA FINAL STRATEGY (OCTOBER 2014)</li> </ul>	<ul style="list-style-type: none"> <li>Development Management Policy DM8 includes allotments but not standards.</li> </ul>	<ul style="list-style-type: none"> <li>Review existing study as produce new Greater Norwich local plan.</li> </ul>	<ul style="list-style-type: none"> <li>CIL in place.</li> <li>Open space and play on Regulation 123 register.</li> </ul>
<i>South Norfolk</i>	<ul style="list-style-type: none"> <li>Development Management Policy DM3.15 'Outdoor play facilities and recreational space', adopted October 2015</li> <li>Recreational Open Space Requirements for Residential Areas (1994)</li> </ul>	<ul style="list-style-type: none"> <li>Development Management Policy DM3.15 'Outdoor play facilities and recreational space', adopted October 2015</li> <li>Recreational Open Space Requirements for Residential Areas (1994)</li> <li>PLAYING PITCH STRATEGY &amp; ACTION PLANS GREATER NORWICH AREA FINAL STRATEGY (OCTOBER 2014)</li> </ul>	<ul style="list-style-type: none"> <li>Not currently addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Draft 'Guidelines for Recreation Provision in new Residential Developments Supplementary Planning Document (SPD)', out to consultation until 5 June 2018. Timetabled for adoption by September 2018 Council.</li> </ul>	<ul style="list-style-type: none"> <li>CIL in place.</li> <li>Open space and play on Regulation 123 register.</li> <li>Some elements of open space/recreation are delivered through S106 depending on the nature of the space being provided.</li> </ul>

<b>Council</b>	<b>Play – current approach</b>	<b>Open Space (land) – current approach</b>	<b>Allotments – current approach</b>	<b>Future Plans (May 2018)</b>	<b>CIL Status</b>
Waveney	<ul style="list-style-type: none"> <li>On regulation 123 list for Community Infrastructure Levy. On-site provision secured through s106</li> <li>Open Space Needs Assessment and Green Infrastructure Strategy (August 2015).</li> <li>Development Management policy DM25 sets standards.</li> </ul>	<ul style="list-style-type: none"> <li>Open Space Supplementary Planning Document - January 2012.</li> <li>Development Management policy DM25 sets standards.</li> <li>Open Space Needs Assessment and Green Infrastructure Strategy (August 2015).</li> </ul>	<ul style="list-style-type: none"> <li>Open Space Needs Assessment and Green Infrastructure Strategy (August 2015). On regulation 123 list for Community Infrastructure Levy. On-site provision secured through s106</li> </ul>	<ul style="list-style-type: none"> <li>Open Space Needs Assessment and Green Infrastructure Strategy (August 2015).</li> <li>Emerging Local Plan (Regulation 19 – March 2018) – Policy WLP1.4 requires open space provision to be based on Open Space Needs Assessment and Green Infrastructure Strategy (August 2015).</li> </ul>	<ul style="list-style-type: none"> <li>CIL in place.</li> <li>Open space and play on Regulation 123 register.</li> </ul>

*In the districts where there is CIL in place, the following explains how schemes in the Broads can contribute to open space in the district:*

- For **Broadland Council** small developments (less than 5 dwellings) do not contribute to provision (other than through CIL). For smaller sites this provision would normally be through a commuted payment towards off-site provision, with on-site or a mix of on-site / off-site for larger schemes. The level of provision is based on the policy requirements of: children's play space – 0.34ha per 1000 pop'n; formal recreation – 1.68 ha per 1000 pop'n; informal open space – 4 ha per 1000 pop'n; allotments 0.16ha per 1000 pop'n. In the Broads Authority area if recreational provision was required (i.e. sites of 5 or more dwellings) this could be either through a commuted payment or by off-site provision (probably outside the Broads Area), unless the scale of development was sufficient to justify on-site provision.
- In **Waveney Council** no financial contribution is required from small schemes towards open space, and therefore there is no up to date information on per dwelling contributions. CIL spend on open space is informed by the needs assessment and GI strategy. For schemes over 1 Hectare (such as PUBOUL2), according to emerging policy WLP1.4, they need to provide open space on site and the specific nature depends on the location; the Needs Assessment sets out in a qualitative manner what is required for each settlement in Waveney.
- Norwich City Council** require on site provision of informal publicly accessible recreational open space on-site for schemes over 100 dwellings or 2 hectares in size. In addition, for all sites which provide 100 child bed spaces or more, proposals should include the on-site provision of younger children's playspace (of at least 150 sq. metres in size with a minimum of four different pieces of equipment) unless there is a play area of equivalent standard within 400 metres walking distance of the site. The policy and SPC do focus primarily on larger schemes, however – regarding smaller sites DM8 says that sites below this size threshold are unlikely to be able to accommodate areas of viable formal recreational open space which it is cost effective to adopt and maintain at public expense, although smaller areas of amenity open space and other hard and soft landscaped areas will be required in all development as an essential part of the scheme design in accordance with policy DM3. As an indicative guide, on-site open space provided in accordance with this policy in combination with incidental open space and landscaping required under policy DM3 should not generally be less than 20% of the total site area'. Paragraph 7 of the SPD states: "the city council's expectation is that additional smaller scale local open space and play space which is necessary to serve a specific development should continue to be funded by the developer in addition to CIL"
- In **South Norfolk**, the draft SPD has standard per square metre and the draft standards are copied over below. Their threshold size for a specific open space contribution is 15 dwellings (in both the current SPD and proposed SPD) and at that level they would expect on-site provision of children's play space through S106, or if that's not feasible than a contribution to suitably located off-site provision. However, they would also be collecting CIL (from all eligible development), part of which might be used through the GNGB pooling to fund strategic scale recreation space (such as pitches), which would serve that community/development. As the Authority don't use CIL, SNDC don't consider there would be a mechanism to collect anything for open space on sites below 15 units in the Broads Authority area.



Open Space Type	Amount (m <sup>2</sup> per 1,000 population)	(Amount (ha per 1,000 population)	Amount (m <sup>2</sup> per person)
Children's Playspace	6,000	0.6	6
Older Children and Adult's Recreation Space: (a) Open Space; and (b) Playing Pitches and Courts	(a) 3,000	0.3	3
	(b) 16,000	1.6	16
Informal Recreation Space	24,000	2.4	24

Table 5: Open Space Quantity Multiplier by Person

No. of bedrooms	Equipped Children's Playspace (m <sup>2</sup> )	Older Children and Adult's Recreation Space (m <sup>2</sup> ) (a) and (b)		Informal Recreation Space (m <sup>2</sup> )
		(a)	(b)	
1 bedroom	9	4.5	24	36
2 bedrooms	12	6	32	48
3 bedrooms	15	7.5	40	60
4 bedrooms	18	9	48	72
5+ bedrooms	21	10.5	56	84

Table 6: Open Space Requirement by Dwelling Size (m<sup>2</sup>)