

Supplementary Planning Guidance (SPG) Planning Obligations

SPG 10d Planning Obligations and Open Space

1. INTRODUCTION

- 1.1 In negotiating for open space provision the Council will have particular regard to the following: adopted Haringey Unitary Development Plan (1998) Policies OP 2.1 and Rim 1.1, Haringey UDP First Deposit Consultation (2003) Policies UD 10 and OS 14, SPG 10a, and this supplementary guidance.
- 1.2 Supplementary guidance is provided below regarding the following:
- Planning context of this guidance
 - Off site provision of Open Space and commuted payments
 - Maintenance

2 PLANNING CONTEXT OF THIS GUIDANCE

- 2.1 The Council has UDP policies which directly concern planning obligations and also for recreational provision. These are Policy RIM 1.1 Community Benefit, in the adopted UDP (1998) and Policies UD10: Planning Obligations and OS14: Open Space and New Developments in the First Deposit Consultation UDP (2003). General guidance on planning obligations, the procedures involved and matters that may be included in a planning obligation can be found in SPG 10a: Negotiation, Management and Monitoring of Planning Obligations.
- 2.2 Policy OS14 stipulates that large developments should ensure that there is adequate open space provided or else are to provide an improved access to existing open space that is inaccessible.

3. OFF SITE PROVISION OF OPEN SPACE AND COMMUTED PAYMENTS

- 3.1 There may be instances where the open space cannot be provided on the site, but where the open space can be provided on an alternative and nearby site, perhaps in the form of a pocket park.
- 3.2 Where commuted payments are to be required for new open space then they will be negotiated according to:

- The quantity figure of open space required. For example, SPG 3a: Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes on Standards Required in New Residential Development, states that there should be a minimum of 50 square metres required for family housing, and a minimum of 25 square metres required for communal garden space per unit. On that basis the number of units and type will be looked at, an overall figure of the total amount of open space that must be provided will be arrived at, and then current land values will be looked at in order to work out the sum of the commuted payment.
- The actual level of the commutation is likely to be unrealistically high and so 20% of cost will be acceptable.
- Onus will be placed on applicants to provide information on land values for accurate calculation of commuted payments. For ease it will be assumed that land values reflect 30% of house values.
- The actual level of commuted payment may vary through negotiation with individual applicants so as to reflect individual circumstances.

3.3 The Council will only allow a reduction in the levels of commuted payment where an improvement of an existing play facility nearby (or improved access to it) would be secured to meet any amenities policy requirement(s) from that development, and where a precise cost can be established.

4. **MAINTENANCE**

4.1 In all cases the Council will want to ensure through legal agreements that the open space and play facilities will be adequately maintained and protected for that use. In most cases it is anticipated that developers will want to dedicate open land and play facilities to the Council to maintain and retain for such use. The Council will only accept land and children's play facilities through agreement, where an appropriate commuted payment is received from the developers to ensure their maintenance and where they have been previously laid out. The council will enter a legal agreement which requires developers to make adequate maintenance provision of open space. The standard length of time for such provisions will range from a 10-15 year period.

5. **Contact**

5.1 Where it is likely that a contribution will be sought for open space developers are advised to discuss the issue with the Council's planning case officer at the earliest opportunity

Additional advice can be obtained from:
Policy & Projects Group – 020 8489 5223

This SPG has been consulted on as part of the Haringey UDP First Deposit Consultation. As such, it is a material consideration in determining planning applications.