

Community Services Planning Application Response



To:	Lee Walton
From:	Mark Hammond, Community Infrastructure and Development Manager
Date:	2 February 2024
Reference:	M/23/01711/OUT
Location:	Land at (Os 7500 5952), Berrow Green Road, Martley
Development Proposal:	Outline planning permission for up to 55 dwellings (with means of access to the site be considered at this stage and all other matters reserved)

South Worcestershire Development Plan

The South Worcestershire Development Plan (SWDP) ensures that new developments set out high quality formal and informal recreational opportunities and makes a contribution to enhancing sporting and community facilities in order to encourage healthy lifestyles. Furthermore, the South Worcestershire Developer Contributions Supplementary Planning Document (July 2018) confirms the basis with which both on-site and/or off-site contributions will be sought against all developments within the district. Further information on the policies underpinning Community Services response and the details of how the Council manages developer contributions relating to open space can be found at www.malvern hills.gov.uk

Strategic Evidence

Paragraph 96 of the NPPF states:

Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

The South Worcestershire Open Space Strategy (OSA) 2019, South Worcestershire Playing Pitch and Outdoor Sports Strategy (PPOSS) 2021-41 and Built Sports Facility Strategy (BSF) 2021-41 have been completed in accordance with Sport England's Guidance: *Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities* (ANOG) and the PPG17 companion guidance 'assessing the needs and opportunities'. These strategies ensure the evidence is sound, robust and up to date for the purposes of assessing the needs for playing pitches, open spaces and built facilities in accordance with National Planning Policy Framework (NPPF).

This response confirms the council's position and the level of developer contributions required as permitted within SWDP policies:

SWDP39	Provision for Green Space and Outdoor Community Uses in New Development
SWDP37	Built Community Facilities
Additional Policies	Additional contributions that are felt necessary to make the development acceptable i.e. SWDP7: Infrastructure and SWDP9: Creating and Sustaining Vibrant Centres

Observations and Assessment

It is noted that:

- As outlined within the Design and Access statement, this development will deliver 40% public open space and it is clear the applicant has considered the importance of quality open spaces between and surrounding the dwellings, by taking a strategic approach to landscaping, open spaces and play.
- Whilst the retention and enhancement of the allotments on site is welcomed, there will be no apparent net gain to contribute to the existing identified shortfall.
- As summarised within the strategic needs assessment (Appendix 2), there is an identified shortfall of equipped play provision for both children and youths within Martley. The proposal includes 'playable landscape', however the applicant fails to provide any specific details on the proposals and so it is not possible to assess the impact.
- The strategic needs assessment also highlights the lack of capacity/shortfall in formal sports provision, including football pitches of all sizes, in 3G pitch provision, the number of cricket wickets and rugby provision. And confirms the council's strategic aim to enhance outdoor sports facilities quality improvement and provide new facilities where there is a current or future shortfall.
- There will also be an impact on the existing built sports facilities. Specifically, Sport Martley leisure centre and Martley village hall which would both benefit from upgrades and enhancements to cater for increases in demand.

Strategic Needs Assessment

The strategic evidence as outlined within Appendix 2 demonstrates that for the local infrastructure to accommodate an increased population, investment is required to enhance existing provision and/or to provide new provision within the catchment of this development.

Given the size of this development, its proximity to existing provision and the attached conclusions that there is a clear need to provide new or enhance existing open space, sport and recreation provision which the development will be directly related. An off-site public open space contribution is deemed both appropriate and necessary as quantified below.

Off Site Public Open Space Developer Contribution

Based on a development of 55 dwellings, a Section 106 developers' contribution to support off-site public open space provision will be required as following:

Typology	Dwellings	
		55
Amenity and Semi-natural greenspace	£	5,104.00
Equipped Play Space	£	7,503.10
Cemetery	£	-
Civic Space	£	1,276.00
allotment	£	356.95
land acquisition	£	9,749.30
Commuted Maintenance Sum	£	125,455.00
Formal pitches	£	12,761.10
Built Facilities (SFC)	£	48,800.00
Maximum Contribution	£	211,005.45

Delete as appropriate -

***In line with the Developer Contributions SPD (2018), one and two bed dwellings make a reduced contribution, paying 50% and 75% of the dwellings total tariff, and affordable housing units are exempt from paying a POS tariff. Additionally, any variation in the housing mix or the delivery of any of the above typologies on-site would also see a variation in the level of off-site contribution required. Accordingly, and subject to planning approval, the final developer contribution would be varied in line with the above factors.*

To ensure this development mitigates the impact it has on formal and informal local infrastructure and strategic sites. It is necessary for the off-site public open space developer's contribution to support the delivery of local and strategic improvement projects. The contribution should be secured through the provisions of a Section 106 Agreement and in line with the definition for off-site public open space as outlined in Appendix 1.

The contributions stated above are considered acceptable in terms of meeting the NPPF tests set out in paragraph 204 of the NPPF and Regulation 122 of the Community Infrastructure Levy Regulations 2010 as amended, those being necessary to make the development acceptable in planning terms; directly related to the development, and fairly and reasonably related in scale and kind to the development.

I trust that the information provided is satisfactory, however, please do not hesitate to contact myself should you require any further information.

Mark Hammond
Community Infrastructure and Development Manager

Appendix 1: S106 Agreement

Appendix 2: Strategic Needs Assessment

APPENDIX 1: S106 Agreement

The following provision(s) should be secured by way of a Section 106 agreement. This is not an exhaustive list and all other standard and/or specific provisions as appropriate shall also be included.

Off-Site Public Open Space Contribution

Definition	means the sum of £211,005.45 (Two Hundred and Eleven Thousand and Five Pounds, and Forty Five Pence) towards the purchase provision improvement and/or maintenance (excluding maintenance which is simply the normal ongoing maintenance costs of existing facilities not attributable to the Development) of off-site public open space including sport and recreation facilities and/or equipment including equipped children's play, outdoor sports facilities, parks and gardens, semi natural green space, amenity green space, allotments, cemeteries, and civic spaces within the District Council ward area of Martley and its neighbouring parishes (whether for the avoidance of doubt via the Council or otherwise) including fees and disbursements incurred in connection with such purposes including consultants commissioned in the design of any such facilities and or equipment proposed whether or not such facilities or equipment are thereafter installed or carried out payable in accordance with Schedule xx of this Deed
RPI	the contribution shall be increased in line with the percentage increase in the Retail Price Index from the date of the Deed until the date of payment
Repayment	The council shall repay any contribution not expended or committed within ten years of receipt

On-Site Green Infrastructure / Public Open Space

On Site Public Open Space Plan	The On Site Public Open Space Plan shall be submitted to the district council for approval prior to commencement of the development and shall confirm the details, layout, and specification of the On Site Public Open Space, including timing and trigger points for its delivery and proposals for the future management and maintenance by the Management Company or parish council.
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If the GI / public open space is not to be transferred to the local parish council

Management Company	means a management company the principal objects of which are to maintain and enhance the On Site Public Open Space in accordance with the approved-On Site Public Open Space Plan
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APPENDIX 2: STRATEGIC NEEDS ASSESSMENT

Summary Strategic Needs Assessment

This needs assessment covers the Ward and Parishes of: -

Ward	Martley
Parishes	Kenswick, Martley, Wichenford

South Worcestershire Playing Pitch and Outdoor Sports Strategy (PPOSS) 2021-24

The PPOSS demonstrates a clear need for investment into sports facilities within the catchment area of this development to help accommodate the increased levels of demand that will be generated.

PPOSS Assessment Area	Tenbury Wells and the North
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Football (grass pitches)	<ul style="list-style-type: none"> - pitches of all sizes (mini 5v5 and 7v7, youth 9v9 and 11v11 and senior 11v11) are already either played to capacity or overplayed. Future housing growth through to 2041 leads to a worsening of the shortfall and carrying capacity of pitches. - improving the quantity, and pitch quality to achieve a 'good quality rating' will help alleviate identified shortfalls - the delivery of ancillary provision or improvement to provision is required at all sites.
3G pitches	<ul style="list-style-type: none"> - there is an insufficient supply of full size 3G pitches to meet current and anticipated future training demand based on the FA training model in Malvern Hills. As such, it is determined that an increase in provision is required
Cricket	<ul style="list-style-type: none"> - there is currently an insufficient supply of cricket squares to cater for all types of cricket (Saturday, Sunday and Midweek). - These shortfalls worsen when taking into consideration future demand
Rugby Union	<ul style="list-style-type: none"> - There is a current shortfall of nine match equivalent sessions per week on senior rugby pitches to meet current demand. This is exacerbated when considering future demand, resulting in a shortfall of 12.25 match equivalent sessions. - There is a requirement to improve pitch quality, increase pitch quantity and deliver improved ancillary facilities
Tennis	<ul style="list-style-type: none"> - clubs should be assisted to improve their ancillary offering. - Furthermore, improving the quality and accessibility of existing tennis courts which are not good quality, will improve the capacity and accommodate increased levels of demand
Netball	<ul style="list-style-type: none"> - there is sufficient outdoor netball provision across the Malvern Hills to meet current demand and therefore priority should be placed on improving court quality
Athletics	<ul style="list-style-type: none"> - Tenbury Wells and Great Malvern area would benefit from access to a Mini Track/Compact/Daily Mile/Endurance Loop facility
Cycling	<ul style="list-style-type: none"> - the delivery of an appropriate cycling facility i.e. a pump track should be supported subject to the availability of land and funding.
MUGA	<ul style="list-style-type: none"> - provision of a Multi-Use Games Area (MUGA) is recommended within new major housing developments and should be considered within rural communities where formal pitches may not be deliverable

The PPOSS 2021-41 strategic recommendations include: -

- Aim 2: To enhance outdoor sport facilities and ancillary facilities through improving quality and management of sites.
- Aim 3: To provide new outdoor sport facilities where there is current or future demand to do so.

Malvern Hills Indoor Sports Facilities Strategy (2021-41)

The Malvern Hills Indoor Sports Facilities Strategy identifies the strategic needs as: -

- Work with schools/dual use sites to improve the standard of the below average community available sports halls and maintain the quality of those which are currently above average
- maintain the standard of the area's swimming pools via ongoing investment.
- replace/extensively refurbish Tenbury Swimming Pool.
- continue to invest in and expand the level of publicly available fitness provision in the Authority

South Worcestershire Open Space Assessment (2019)

The Open Space Assessment (OSA) reports a shortfall in supply of the following typologies within the catchment of this development: -

- Allotments
- Parks and Recreation Grounds
- Play (Children)
- Play Youth)

All developments will be assessed on a case-by-case basis. However, the OSA recommends open space typologies are generally provided either on-site or off-site as follows: -

Type of Provision	6-19 dwellings	20-49 dwellings	50-99 dwellings	100-199 dwellings	200+ dwellings
Allotments	Off-site	Off-site	Off-site	On-site	On-site
Amenity Green Space	Off-site	On-site	On-site	On-site	On-site
Parks and Recreation Grounds	Off-site	Off-site	Off-site	Off-site	On-site
Play Space (children)	Off-site	Off-site	On-site	On-site	On-site
Play Space (Youth)	Off-site	Off-site	Off-site	Off-site	On-site
Natural Green Space	Off-site	Off-site	Off-site	On-site	On-site

Community Buildings and Halls in South Worcestershire (2019)

The Community Buildings and Halls report shows that there is need for investment into the expansion or enhancement of the following community buildings and halls within the catchment of this development: -

- Provision includes Martley village MH and Wichenford MH. Martley VH is noted to be used regularly by large groups however is limited due to its lack of available parking. Martley PC notes Martley needs a meeting space and an upgrade to parking facilities to account for this.