



**Maidstone
Local Development Framework**

**Open Space
Development Plan Document**

Adopted December 2006





**This document is produced by
Maidstone Borough Council**

All enquiries should be addressed to:

**Planning Policy Team
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent ME15 6JQ**

Telephone: 01622 602000

Email: LDF@maidstone.gov.uk

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Context

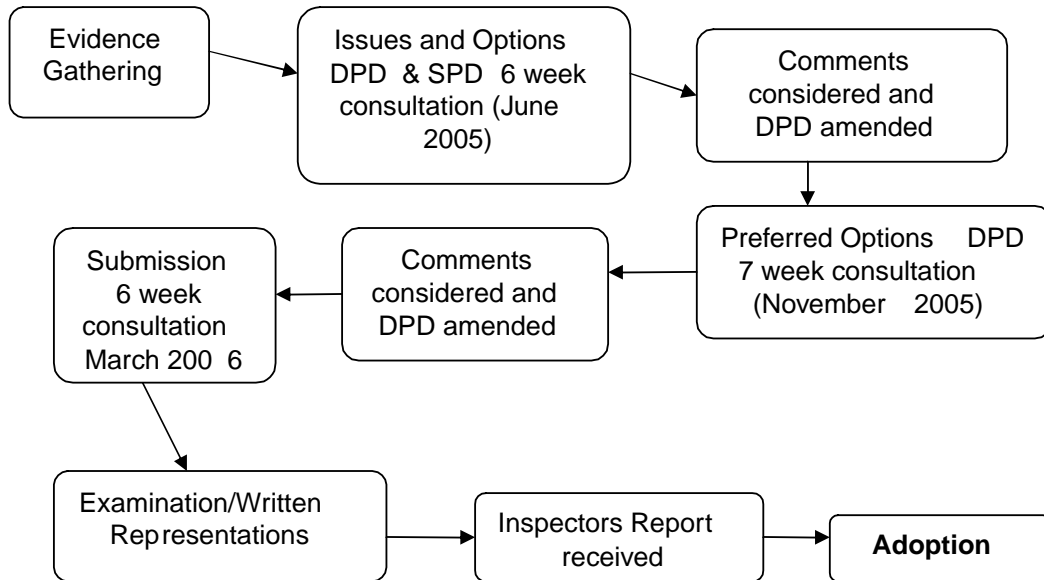
- 1.1** This chapter explains the context under which open space policy OS1 was formulated and adopted, but the chapter does not form part of the adopted Development Plan Document (DPD). The adopted DPD comprises the Justification, Policy, and Monitoring and Review sections (Chapter 2), and the Local Standards of Provision (Appendix).
- 1.2** A review of Maidstone's open space policy was identified as a Council priority and consequently, the Open Space Development Plan Document (DPD) was prepared in advance of the Core Strategy DPD in accordance with the Borough Council's Local Development Scheme (LDS) as part of the Local Development Framework (LDF). The Open Space DPD is one of the first documents to be adopted under the LDS and policy OS1 replaces policy H37 of the Maidstone Borough-Wide Local Plan (2000).
- 1.3** An Issues and Options paper for the Open Space DPD was published in June 2005 for a six-week public consultation period. The comments received on the consultation exercise assisted in the formulation of detailed policy in a Preferred Options paper. The Preferred Options paper was the subject of a further seven-week consultation period from November 2005, and the representations received on this document were taken into account when refining the policy for submission to the Secretary of State in March 2006. National guidance requires that all DPDs must be tested for soundness through Independent Examination carried out by a government Inspector. The Independent Examination was held in July 2006 and the Inspector's Report, confirming the soundness of the DPD, was published in October 2006. The DPD was formally adopted on 13th December 2006. The process for preparing a DPD is illustrated below.

1. Context to the Open Space Development Plan Document



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Open Space Development Plan Document - Adopted December 2006



- 1.4** All stages of the DPD were well publicised, and feedback from statutory consultees, stakeholder groups and the public helped to formulate the policy.
- 1.5** Additional guidance on the application of the policy including the decision making about the form and cost of developer contributions will be provided in appropriate guidance notes and a Supplementary Planning Document.

National Policy

1.6 Planning Policy Guidance Note (PPG) 17: Planning for Open Space, Sport and Recreation

The Government's expectation for open space is set out in PPG17. Open space and opportunities for sport and recreation are fundamental in delivering the Government's wider objectives for urban renaissance, social inclusion and healthy lifestyles, as well as promoting sustainable development. Local authorities should undertake robust assessments of the existing and future need of their communities for open space, to underpin their development plans and community strategies. It is important to set local standards of provision based on quantitative and qualitative considerations.



1.7 Circular 05/2005

Circular 05/2005: Planning Obligations, clarifies how planning obligations should be assessed, and gives further guidance on the process of securing obligations. Planning obligations are to be sought only where they are:

- relevant to planning;
- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects

1.8 The circular follows from consideration the Government is giving to reforming the planning obligation system, including the possible introduction of a Planning Gain Supplement. Future changes to legislation may require an early review of this DPD.

1.9 A key area of change brought about by the new circular concerns maintenance payments. Previously a local authority could require a developer to make payments for on-going maintenance of a facility, however this is no longer always acceptable. Where a facility is to be provided predominantly for the benefit of users of the associated development, it may be appropriate for the developer to make provision for maintenance in perpetuity. If the asset is intended for the wider community however, then the on-going costs should normally be borne by the organisation to which the facility is to be vested. Maintenance payments may be sought for initial support, reflecting the time lag between the provision of the facility and its receipt of public sector funding.



Regional/County Policy

1.10 South East Plan (Submission Document 2006)

The draft South East Plan, undergoing examination at the time of the adoption of this DPD, gives guidance in Policies S3 and BE1, specifically:

S3: Supporting Healthy Communities (abbreviated)

Local Development Documents should make provision for:

Community access to amenities such as parks, open spaces, physical recreation activity, and cultural facilities.

BE1: Management for an Urban Renaissance (abbreviated)

Local Development Documents should:

Work closely with key service providers to ensure that physical, community, cultural and green infrastructure is planned and phased in accordance with planned development.



1.11 Kent and Medway Structure Plan

The Structure Plan was adopted in July 2006 and will be superseded by the South East Plan and Maidstone LDF in due course.

Particularly relevant Policies in the Plan are QL15 and QL17:

QL15: Formal and Informal Recreation/Sport Facilities (abbreviated)

Local Development Documents will make provision for sport, informal and formal recreation facilities taking account of the potential for dual use and/or joint provision. Where there is a continuing need, existing facilities will be protected and where these are deficient land will be identified for improvements.

The need for new facilities within major new residential and mixed-use developments will be assessed and appropriate provision made.

QL17: Green-Space Networks and Rights of Way (abbreviated)

Local authorities will prepare open space strategies and reflect their land use requirements in Local Development Documents.

(a) In urban areas local authorities will establish and extend green-space networks as corridors for movement by foot and cycle, as havens for wildlife and natural Kent & Medway Structure Plan (Adopted July 2006): Interim Pre-Print Version September 2006 70 habitats, and for leisure, amenity and recreational use. Where practicable, green linkages should be encouraged from within settlements to the open countryside.

(b) Existing open space and public rights of way will be protected and improved as part of these networks which, where possible, should extend through major new development sites and connect directly with community facilities, employment areas and transport hubs.

Local Policy

1.12 Maidstone Borough Council Strategic Plan (2005 - 2008)

One of the seven priorities set out in Maidstone's Best Value Performance Plan, is "Improving parks, open spaces and play areas".



1.13 Community Strategy for Maidstone Borough (2003)

One priority of the Community Strategy is "to encourage greater use of parks and open spaces through improved access and facilities".

Evidence Base

1.14 Green Spaces Strategy (February 2005)

Planning Policy Guidance note 17 (PPG17) requires local authorities to assess the level of provision of open space within its boundary. The strategy forms the Council's response to the requirements of PPG17. It determines local standards of open space and provides a mechanism for prioritising improvements to the provision of parks and green spaces through Action Plans for the next 4 years. It supports the Council's aims and objectives for the Borough's Green Spaces, including:

- Improving the quality of parks and green spaces
- Improving the awareness and use of parks and green spaces and the facilities therein
- Maximising external funding opportunities
- Encouraging community involvement in planning and management of green spaces
- Conserving and enhancing the natural environment and ecological balance.

1.15 The Green Spaces Strategy identifies 8 categories of open space:

- a. Green Corridors
 - b. Parks and Gardens
 - c. Amenity Green Space
 - d. Provision for children and young people
 - e. Natural and semi-natural Green Space
 - f. Allotments and community gardens
-



- g. Cemeteries and Churchyards
- h. Outdoor Sports Facilities

- 1.16** The Green Spaces Strategy was adopted by the Council in February 2005. The strategy contains a number of actions as well as detailed information which has been collected and collated about the quantity and quality of each of the green space types at a local level.
- 1.17** The Green Spaces Strategy provides a significant amount of information and data on the amount and type of open space provided across the Borough and the form of the varying qualitative and quantitative needs in different areas of the Borough. This will be vital evidence when substantiating the case for specific developer contributions and the policy changes in general.
- 1.18** Local Standards have been derived for 6 of the 8 categories of open space. For Natural and Semi-natural green space, the Council has adopted the Accessible Natural Green Space Standard (ANGSt). For Green Corridors, no standard has will be set as such but a network developed over time. These standards are set out within Annexe C of the Green Spaces Strategy and have been reproduced in the 'Appendix' to this DPD.
- 1.19** The green space provision tables information set out in the Green Spaces Strategy will need to be continually reviewed and updated. However, the local standards which have been derived are able to be used to identify areas where additional open spaces would be required to meet new demand as well as those areas where improvement to existing space would be more appropriate. The provision tables to the Green Spaces Strategy can be found at the [Maidstone Borough Council website](#).
- 1.20** Management Plans have also been produced for the highest profile green spaces within the Borough. These detail improvements which need to be considered within the time frame of years 2005 – 2010. Further information regarding the Green Spaces Strategy can be found at the [Maidstone Borough Council website](#).



Justification

- 2.1** Sufficient recreational and amenity open space must be provided throughout the Borough to meet the existing and future open space needs of the community to ensure sustainable development. Maidstone Borough Council recognises eight categories of open space in a PPG17 compliant Green Space Strategy. These are Green Corridors; Parks and Gardens; Amenity Green Space; Provision for Children and Young People; Natural and Semi-natural green space; Allotments and Community Gardens; Cemeteries and Churchyards; and Outdoor Sports Facilities.
- 2.2** Housing developments over a certain threshold will be expected to provide the required amount of open space within the site boundary unless the Borough Council has approved off-site provision or funding in lieu of provision.
- 2.3** Government guidance on planning for open space is set out in Planning Policy Guidance Note 17 (PPG17) – “Sports and Recreation” and this states that standards of open space can be set locally. Maidstone Borough Council has adopted distinct urban and rural standards to take account of the variations of need between these areas. These standards will apply to all residential developments in excess of 0.4ha or 15 or more dwellings where on-site provision is to be made, but where a contribution to off-site provision is proposed, it will be calculated on the basis of a lower threshold of 10 units. A lesser contribution will only be acceptable where exceptional circumstances exist and where the Council is satisfied that this is appropriate.
- 2.4** Wherever a contribution is sought, whether for on site or off-site, the Borough Council will calculate it on the basis of 100% of the development.



Policy

Policy OS 1

ON ALL RESIDENTIAL DEVELOPMENTS OF 10 DWELLINGS OR MORE, THERE WILL BE A REQUIREMENT FOR OPEN SPACE PROVISION IN ACCORDANCE WITH THE STANDARDS SPECIFIED IN THE APPENDIX TO THIS POLICY.

WHERE IT IS CONSIDERED IMPRACTICAL OR INAPPROPRIATE TO PROVIDE OPEN SPACE ON-SITE OR FOR ALL DEVELOPMENTS OF LESS THAN 15 DWELLINGS OR 0.4HA, THE BOROUGH COUNCIL WILL EXPECT A FINANCIAL CONTRIBUTION FROM THE DEVELOPER AS AN ALTERNATIVE MEANS OF PROVISION. THE FORM OF THE PROVISION WILL BE GUIDED BY THE BOROUGH COUNCIL'S ADOPTED GREEN SPACES STRATEGY AND OTHER MATERIAL EVIDENCE. THE CONTRIBUTION AND THE BASIS FOR ITS CALCULATION WILL BE ADOPTED BY THE COUNCIL AND REVIEWED AS NECESSARY. THIS MAY INCLUDE A MAINTENANCE CONTRIBUTION AS APPROPRIATE. A LESSER CONTRIBUTION WILL ONLY BE ACCEPTED IF THE COUNCIL IS SATISFIED THAT THIS IS APPROPRIATE, TAKING INTO ACCOUNT ALL RELEVANT CIRCUMSTANCES OF THE DEVELOPMENT.

WHERE PHYSICAL PROVISION OF OPEN SPACE IS MADE BY THE DEVELOPER FOR THE BOROUGH COUNCIL TO ADOPT, A LEGAL AGREEMENT WILL BE SOUGHT WITH THE DEVELOPER TO LAY OUT THE LAND TO THE STANDARDS REQUIRED.

Monitoring and Review

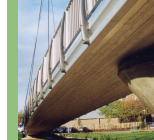
2.5 Policy OS1 will be implemented through the development control process, and contributions to open space provision will be secured by planning conditions or legal agreements. The impact of the policy will be monitored through the following documents and performance indicators.

- Annual Monitoring Report: Core Indicator 4c: "Amount of eligible open spaces managed to Green Flag Award standard". This is a government specified indicator which counts the number of eligible open spaces that are equipped and managed to an independently assessed standard. The AMR will monitor the number of open



spaces that hold this qualitative standard in the monitoring period. The contribution to Green Flag Award spaces achieved through the policy can be identified.

- Annual Monitoring Report: Local Output Indicator, Local Plan Objective 3: "To... identify and implement policies to protect areas of countryside and open space having special qualities, or achieving particular functions...". Part of Local Plan Objective 3 is relevant. This is a locally determined indicator that utilises the performance of Policy OS1 (superseding Local Plan Policy H37) as an indicator.
- Policy OS1 includes an Appendix which sets out standards of provision for the various open space types identified in the Green Spaces Strategy, on the basis of hectares per 1000 population. Provision of open space is to be monitored through the Green Spaces Strategy Provision Data tables annually. One output of this will be to compare provision/1000 population each year against the base line data, to identify quantitative patterns in progress over time to achieve the standards in the Policy Appendix.
- Strategic Plan: Key Performance Indicator 42: "Improvements in quality in parks, gardens, recreation grounds and other open space as measured by quality audits." KPI42 is a locally determined indicator, which sets rolling 3 to 4 year annual targets for % improvements in the audit scores. Developer contributions made through Policy OS1 which contribute to these improvements can be specifically identified."



Local Standards of Provision

As defined in the Green Spaces Strategy, adopted 2005.

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GREEN SPACE TYPE	HECTARE (Per 1000 population)	
	URBAN	RURAL
Parks and Gardens	2.30	N/A*
Natural and semi-natural areas	ANGSt standard	ANGSt standard
Amenity Greenspace	0.7	0.8
Provision for Children and Young Peoples Equipped Play)	0.12	0.09
Green Corridors	N/A	N/A
Outdoor Sports Facilities	1.4	2.7
Allotments and Community Gardens	0.21	0.18
Cemeteries and Graveyards	0.66	0.59

* No Parks and gardens were identified in the rural area. Country parks and similar rural green spaces were included in the natural and semi-natural category.

English Nature's Accessible Natural Greenspace Standards (ANGSt)

The ANGSt model requires:

- That no person shall live more than 300 m from their nearest area of natural greenspace of at least 2ha in size
- Provision of at least 1ha of Local Nature Reserve per 1000 population
- That there should be at least one accessible 20ha site within 2km from home



- That there should be one accessible 100ha site within 5km
- That there should be one accessible 500ha site within 10km