

Dumfries and Galloway Council

LOCAL DEVELOPMENT PLAN 2

Open Space and New Development

Supplementary Guidance - November 2019



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PART ONE: OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT

1. PART ONE INTRODUCTION

1.1 Whether for amenity, recreational or functional purposes, open space makes an important contribution to the quality of new development, helping to improve the visual setting as well as encouraging physical activity and improving mental health and wellbeing. Such spaces can play a big part in building community cohesion, can stimulate the economy and attract enterprise. They also have a vital role in encouraging biodiversity, supporting a resilient environment (for example in helping to adapt to, and mitigate against, the effects of climate change) and providing important opportunities for learning and social inclusion.

1.2 Dumfries and Galloway Council (DGC) completed its first Open Space Audit in 2013, in accordance with Scottish Planning Policy and Planning Advice Note 65, and published its Open Space Strategy in 2014. The Audit assessed all open spaces within 500 metres of settlement boundaries in the 47 regional, district and local centres identified in the Local Development Plan 2 (LDP2). The audit has now been reviewed and updated at November 2017. This has allowed an analysis of the provision across the region and results from the Audit and the objectives set out in the Strategy have been used to inform the advice included in this Supplementary Guidance (SG).

1.3 As stated in the Open Space Strategy, the Council's long term vision for open space is: *"To develop and maintain a network of high quality, sustainable open spaces that meet local needs, enhance quality of life, support a healthy and diverse range of natural habitats and contribute to the economic and social well-being of the whole community"*.

1.4 The guidance will be split into four sections: Part One sets out the process for assessing open space needs and securing appropriate provision from developers; Part Two provides advice on the design and expected quality of open space provision; Part Three includes a series of individual Settlement Accounts for those settlements with an inset map in LDP2; and Part Four consists of a series of village maps identifying protected open space (as specified in LDP2 policy CF3 (a) Protection of Open Space). Part Three and Four will be revised and updated following adoption of Local Development Plan 2.

Purpose and Status of this guidance

1.5 This SG has a number of functions: it will contribute to helping to achieve the vision and outcome of the Open Space Strategy and gives more detail on the implementation of policy CF3: Open Space, providing practical guidelines on how DGC will apply the open space requirements when making decisions on new development. The guidance and standards outlined in this SG not only provide a framework for Development Management, developers and their design teams looking at new development but can also apply to the management of existing spaces and to the creation of new space.

1.6 The guidance reflects the policy advice given in Scottish Planning Policy and Planning Advice Note (PAN) 65, *Planning and Open Space*. It provides additional information on the use of LDP2 Policy CF3, having the same status as the policy in the adopted Plan. It will be taken into account as a material consideration when determining planning applications and appeals.

1.7 The Council will monitor the effectiveness of the Guidance and review its content at regular intervals to ensure that the guidance remains relevant and compliant with Scottish Government policy and advice and any relevant strategies adopted by the Council.

Legislative and Policy Context

Legislation

1.8 The public's access to open space and other land is outlined within the Land Reform (Scotland) Act 2016. The Act gives people a right of responsible access to most land and inland water in Scotland and provides Scottish Communities with a right to buy land for sustainable development. The Act also gives powers and duties to the Council to protect and manage access rights. The Council's access activities including its Core Path Plan and Outdoor Access Strategy (Open Outdoors 2012-2017) can be found on the Council's website

<http://www.gov.scot/seag/seagDocs/SEA-00511/12283.pdf>

1.9 The Nature Conservation (Scotland) Act 2004 places a legal duty on the Council to further the conservation of biodiversity, enhance natural features and protect wildlife. To comply with this duty, the Council must consider nature conservation in everything that it does.

National Context

1.10 Scottish Planning Policy (SPP), 2014, states that the design of new green infrastructure [which includes open space] should take account of the principles of successful places, be well integrated with existing access and habitat networks, be fit-for-purpose and capable of being adapted to accommodate the changing needs of users. Planning Advice Note (PAN) 65 on Planning and Open Space (2008) provides national planning guidance on open space.

Local Context

Policy CF3: Open Space

a) Protection of Open Space

Within settlements, there will be a presumption against development of open space identified for protection on the inset maps. Supplementary guidance for the protection of open space in villages has been prepared. Development of open space for a purpose unrelated to use as open space will not be allowed unless:

- the open space can best be retained and enhanced through the redevelopment of a small part of the site; or
- an adequate and acceptable replacement for the open space lost as a result of the development can be provided and/or paid for by the applicant in an equally convenient and accessible location within the locality; and
- alternative sites have been considered and no other appropriate site can be identified.

Proposals to redevelop outdoor sports facilities should ensure that the conditions set out in the bullet points of paragraph 226 of Scottish Planning Policy have been met.

b) Provision of Open Space

In all housing developments which will, either individually or through phasing, result in the development of 5 or more units, there will be a requirement to provide or contribute towards good quality publicly usable open space (which may also include linkages to wider green networks or to the development of blue-green networks using existing watercourses). Other development may also need to provide or contribute towards open space/green network provision. Supplementary guidance will provide detailed information relating to the

standards for open space provision in housing developments.

Proposals to provide new open space or to enhance existing open space will usually be supported. There will be a presumption in favour of the provision of allotments, community gardens and community food growing initiatives.

c) Maintenance of Open Space

The provision of new open space will require to be supported by appropriate maintenance arrangements set out in supplementary guidance.

Supplementary Guidance for Open Space and New Development includes additional information on open space requirements and guidelines.

1.11 Other relevant LDP2 policies and Supplementary Guidance (SG):

- Policy CF2: Green Networks - *avoiding fragmentation of existing networks and enhancing connectivity where possible;*
- Policy CF4: Access Routes - *ensuring existing paths and routes are protected and that new access is carefully considered and provided in new development;*
- Policy OP2: Design Quality and Placemaking and associated SG - *particularly, the need to increase connectivity to nearby places, paths, streets and open space; and to ensure any open space required is of high quality, appropriate and integrated and provides linkages to the wider green network;*
- Policy OP3: Developer Contributions and associated SG - *sets broad policy framework for contributions to open space and green networks in new development;*
- Policy H2: Housing Development in Villages and associated SG - *particularly the need to ensure any proposals would not lead to the loss of open space;*
- Policy NE8: Trees and Development – *this policy supports proposals that maintain trees, woodlands and hedgerows, which could all form parts of open space, and also encourages developers to incorporate existing woodland features into their development where feasible;*
- Policy NE12: Protection of Water Margins - *these can form part of the green corridor network and may be part of open space provision within a development;*
- Policy IN8: Surface Water Drainage and Sustainable Drainage Systems (SuDS) and associated SG – *SuDS can form part of open space provision in new development, particularly as part of a bigger multi-functional space;*
- Policy T5: Former Transportation Routes - *relates to the protection of active travel and recreation routes along green corridors such as disused railway lines.*

2. ASSESSING NEEDS AND SECURING PROVISION

Overview

2.1 This section describes how the Council will assess the open space provision that will be needed as a result of new development and how they will secure that provision. For all relevant proposals under Policy CF3, developers will be required to contribute to the provision or enhancement of publicly usable open space with the final requirements being dependent on the individual application and the context of the location. Although many of the development proposals requiring the need to contribute to open space will be for residential development, other types of development, such as new employment uses, will also need to consider open space requirements and possibly provide new spaces or links to existing spaces.

2.2 The Open Space Strategy sets out a number of standards which create a “target” relating to expected quantity, accessibility and quality of open space. This has allowed for

the identification of requirements for open space provision expected when proposing new development and for the creation of the Settlement Accounts for each of the settlements with an inset map in LDP2. These briefly describe the open space context in individual settlements, identify potential surpluses or deficiencies of particular types of open space and highlight opportunities for the creation or enhancement of open space.

2.3 In relation to new development, it is important that any new open space provided as part of this is usable, well designed, safe, accessible and well maintained. Open space is not “left over land” – it should be strategically planned and designed as an integral part of the development. Generally speaking, more successful, sustainable places can be achieved if individual open spaces are designed to deliver **multiple functions** and are **inter-connected** to each other to form green networks.

2.4 Green networks are a strategic linked system of existing and proposed green spaces within and around settlements (including open space found within settlements), linking out into the wider countryside. Areas of open space within the built environment can form part of these wider green networks and contribute to their functions so new development should wherever possible create opportunities to contribute to enhancing the connectivity of the green network.

2.5 For the purposes of this SG, the requirements for open space provision will focus on **publicly usable open space** as identified below (see Appendix 1 of Part One for definitions):

- Allotments and community growing spaces
- Amenity greenspace
- Children’s play areas
- Civic space¹
- Green corridors
- Outdoor sports facilities
- Parks and gardens
- Semi-natural / Natural greenspaces

2.6 The Open Space Strategy provides more detail on how open space typologies have been defined and assessed. The Strategy and the location and typology maps from the Audit can be found on the Council’s website: www.dumgal.gov.uk/LDP

2.7 Developers should consider the quantity, quality and accessibility of existing open space local to their proposed development. Advice from other parties could also be sought at this stage in order to identify key considerations at the earliest opportunity (see Consultation section below). **sportscotland** is a statutory consultee in relation to specified outdoor facilities, as identified in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, and must be consulted where any development may lead to the loss of, or prejudice the use of, an existing outdoor sports facility or prevent the use of the land, which was last used as an outdoor sports facility, from being used again for that purpose.

¹ Civic Space

Although it is recognised as a “publicly usable” typology, the provision of new civic spaces is not specifically required through new development by planning policy as they will usually be provided as part of urban design proposals and not in response to provision standards. However, where it is identified that such space would be beneficial – for example as part of a wider regeneration project, the Council will work with developers and community / civic groups to develop such space.

2.8 For all developments of 50 or more dwellings where the site area is, or exceeds, 2ha or those larger developments which may have a significant impact on small communities or environmentally sensitive areas, developers are required by the Planning etc. (Scotland) Act 2006 to carry out pre-consultation discussions. For such development, the Council may ask the developer to undertake a detailed appraisal of open space needs (see Appendix 2) as part of these consultations.

Consultation

2.9 Requirements for open space will be based on local context and through consultation. As well as the Council Services listed below, advice from a number of other bodies and stakeholders can also be sought., for example:

- Disability Advisory Group
- Dumfries and Galloway Council: Economy and Development (Development Management, Development Planning and Environment e.g. Archaeologist, Access team, Infrastructure and Commissioning); Communities (Leisure and Sports, Community Planning and Assets, Youth work); Education
- Local community groups
- Police Scotland, local Crime Prevention Design Advisor
- Scottish Environmental Protection Agency
- Scottish Natural Heritage
- sportscotland
- Local sports bodies, including cycling and walking groups

How Open Space Requirements Are to Be Met

2.10 In assessing specific requirements for the provision of open space, the Council will ensure open space is integrated with development proposals by: taking account of the Settlement Accounts in order to tailor provision to local context and through consultation with local officers and other consultees, where necessary. This will involve an assessment of the expected needs of the new residents / users of the development, the identification of the amount and range of open space types within the vicinity of the development site, an assessment of their quality and an indication of their relative size in relation to the catchment they serve – and also the potential impact of the new development on these existing resources.

2.11 When analysing the quantity and accessibility of existing open space for the purposes of establishing developer requirements, a distinction is made between publicly usable open space that is freely accessible to all (without the need to pre-book, arrange access and so on) and more limited forms of open space (for example locked tennis courts, member-only bowling greens etc.). However, when asking for developers to provide or contribute towards open space, any form of publicly usable open space may be asked for. See the Open Space Strategy for more details.

2.12 The approach to open space provision in this guidance aims to be flexible and pragmatic, helping to ensure that open space is appropriate and delivers what is actually needed. The aim is to ensure that any development makes the most use of existing resources in the vicinity. For example, in some cases, it may be more beneficial to future users of a development if a contribution is made towards enhancing links to nearby open space rather than providing open space on-site. It can also be more cost-effective to improve what currently exists than to create additional open space that may be under-used and simply becomes a maintenance burden.

2.13 The key issues of whether provision is to be made on-site, off-site or in the form of a financial contribution towards existing space (or a combination of these), should be agreed

with the Council at the start of the development design process. The Settlement Accounts found in this SG, the Open Space Strategy and consultation with local officers will be used as a basis for these discussions and agreements. Additionally, when negotiating on potential contributions for new sports facilities, the Council's Leisure and Sport Strategy should be referred to. Please also refer to the SG on Developer Contributions.

2.14 The general order of preference for the provision of open space is for it to be created on-site; if this is not possible, then it should be created off-site; if neither of these is possible or necessary, then a developer contribution towards improvement or enhancement of existing open space will be sought. The provision standard expected is **60m² of open space per dwelling or a financial contribution towards open space**. This contribution will either be a specific amount to be used on new open space infrastructure which has been identified by the Council as being required in the area or, if there are no specific new open space projects requiring financial assistance, a fixed sum of money per dwelling to be used on general improvements to existing Council-managed open space (see Section 2.19 below).

2.15 Commercial and employment developments may need to provide an appropriate level of open space in the context of the landscape setting and the nature and scale of development. Such provision will need to be agreed with the Council at the earliest opportunity in developing proposals for the site. Financial contributions may be an acceptable alternative but this will be determined on a site by site basis in line with discussions with the Council.

On-site provision

2.16 Where a relevant development is proposed in a settlement that has less publicly usable open space than the quantity standard set out in the Open Space Strategy (see Settlement Accounts), then it is expected that the developer will provide open space within the development equivalent to 60m² per dwelling (whilst also meeting the accessibility requirements and ensuring it is of an acceptable quality).

2.17 Where the development is in a settlement which has more publicly usable open space than the quantity standard set out in the Open Space Strategy (see Settlement Accounts), then the developer may still need to provide open space within the development equivalent to 60m² per dwelling and meet accessibility and quality standards. However, in this situation a further assessment will be made of the suitability of existing nearby space to determine how much, if any, on-site provision is required (see accessibility and quality sections below).

Off-site provision

2.18 If it has been determined that additional open space is required but it cannot be accommodated on site, open space which would meet the needs of the development can be provided off-site in land in the developer's control.

Financial contributions

2.19 The Supplementary Guidance on Developer Contributions sets out the approach to developer contributions for open space and green networks. The following list sets out the circumstances where the Council will ask the developer to provide a financial contribution which will be used to either: fund the necessary Council-identified works at an appropriate alternative location; to enhance an existing open space; and/or to create or improve linkages between the new development and existing open space.

1. All residential developments including conversions which will, either individually or through phasing, result in the development of 5 or more units except in areas where the Settlement Account indicates a significant under-provision in quantity or accessibility of open space or where several small developments of this nature are

likely to take place in the immediate area and create a cumulative need for open space;

2. There is sufficient existing open space of different types which are able to serve the development through suitable upgrading (and where it is possible for the Council to upgrade this) and which would be within a five minute walk of all new households. This will involve the identification of the range of open space types within the vicinity of the development site, an assessment of their quality and an indication of their relative size in relation to the catchment they serve (see Accessibility and Quality sections below and the Settlement Accounts);
3. Where the developer can demonstrate, through an open book approach, that it is not practical or reasonable to provide the open space on-site:
 - a. Where the size of the development site cannot physically accommodate some or all of the amount of open space required;
 - b. Where site constraints dictate that it is not physically or financially viable, or where it is functionally inappropriate, to accommodate some or all of the required open space on site.
4. There is a green network opportunity nearby which investment from the development would assist in delivering;
5. Where the Council consider that enhancing existing open space to meet the needs of the development is preferable to creating additional space on site.
6. Business and Industry developments may be required to provide an area of open space for their employees.

2.20 Where developers have provided financial contributions towards the improvements of off-site open space, they are encouraged to inform their potential house purchasers of this community investment.

2.21 The Council's normal preference will be to use the developer contributions to create additional or enhance existing provision within the accessibility distance threshold of the development site. If this is not practical, the Council will seek to use the contributions elsewhere within the settlement in which the development is set.

Combination of on-site and financial contribution

2.22 This combined approach would normally entail the developer providing some appropriate open space within their development and paying the Council a financial contribution. The balance between on-site provision and financial contribution will be determined through negotiation with the developer who will need to demonstrate why all of the provision cannot be met on-site. This may often be the case for development which may be in a settlement that overall meets the quantity standard but where nearby existing open space would not entirely meet the needs of the new development.

Other ways of contributing to open space provision

2.23 There may also be a need to develop other acceptable alternatives to deal with circumstances where the quantity and/or accessibility standard cannot be met. The standards recognise that there will be occasions where delivering the required publicly usable open space provision can be achieved through bringing previously unusable spaces into public use through increased multi-functionality. Other solutions could include the following:

- a greater focus on the quality and functionality of streets as public spaces; "Designing Streets" policy has established that new developments should contain 'high place function' streets. These streets are designed to promote safe pedestrian use and typically allow children to play in safety. Part of the open space requirement could be met by providing a combination of multifunctional open space(s) and 'high place function' streets. DGC will need to agree whether the design of a street is considered to have a high place function before it will be considered to meet part of the open space

requirement. These streets will be expected to incorporate elements of green infrastructure;

- seeking agreements and management changes to make existing inaccessible or semi-private spaces more publicly usable;
- publicly accessible SuDS may be considered to provide part of the open space requirement for a development. DGC will need to agree whether the design of the SuDS is considered to be publicly usable before it will be considered to meet part of the open space requirement.

Opportunities to link into the green network and the Core Paths system

2.24 Evidence has shown that the closer people are to their nearest accessible greenspace, the more likely they are to use it. Linking open spaces through the active travel network can help to reduce the distances people have to travel to their nearest accessible greenspace.

2.25 Wherever possible, developers will be encouraged to put together an open space proposal which maximises opportunities to link into the green network and the Core Path network. LDP2 does not currently identify a defined green network but, for the purposes of this SG it can be broadly taken to include any of the following elements:

- Accessible spaces identified in the Open Space Audit (see Annex 1 of the Open Space Strategy);
- Active travel and recreational routes (this includes green corridors such as former railway lines, river banks etc. that provide access routes);
- Accessible woodland and other natural and semi-natural greenspaces.

2.26 Methods of linking new development to the Core Path Network can include the following:

- Locating on-site open space to be as near as possible to the existing core path network;
- Providing path links between on-site open space and the adjacent core path network;
- Carrying out off site access improvements and constructing missing links to ensure that the distance to the core path network is reduced as far is practical.

Assessing Accessibility of Existing Open Space from the Development Site

2.27 The accessibility standard set out in the Open Space Strategy refers to how close households should be to their nearest publicly usable open space. There is no national standard for auditing access but, generally, the accessibility standard is expressed as a walking distance threshold from every home to a publicly usable, fit for purpose open space of a minimum size. In Dumfries and Galloway, this has been set as a target of every household being a 5 minute walk² from a publicly usable open space site which is open for all of at least 0.2 hectares in size³.

Using the accessibility standard

2.28 By applying the accessibility standard to the existing open space resource, it is possible to identify those areas which do not currently meet the standard and whether this

² Generally, in an urban design context, a 5 minute walk is considered to equate to a distance of 400 metres "door to space". In the settlement accounts, where a simple "as the crow flies" buffer method has been used to capture dwellings within the accessibility standard, the buffer has been set at 75% of the walking distance i.e. 300 metres. This is to take account of the fact that the actual routes between proposed development and existing spaces will not be completely straight.

³ 0.2 hectares has been chosen as this is the size of space where spaces start to become multifunctional and active use can be accommodated, for example 0.2 hectares is big enough for a "kick about" pitch or other informal play.

applies to the development site. In some circumstances, a simple access solution may dramatically reduce the amount of open space needed to meet the accessibility standard.

2.29 The Settlement Accounts can provide an initial indication of whether new development may be able to meet the standard. The Accounts include a series of settlement maps which show an indicative five minute walk accessibility buffer around each publicly usable open space site. However, this will need to be re-assessed when actual proposals are submitted to take account of layout, route networks, barriers such as main roads and watercourses, number and density of housing units and so on.

2.30 The Council will work with the developer who should demonstrate how the proposal could meet the accessibility standard. When assessing the distance from new development to existing open space, the applicant must show the route is: safe (overlooked), usable by all people, attractive, easy to navigate and has no significant obstacle to movement such as a main road, private ground or a linear feature such as a river or railway. In simple terms, **if all new houses are within a five minute walk of an existing piece of publicly usable open space** then, as long as the nature of the existing space (e.g. relative size compared to the number of potential new residents, range of functions and potential for enhancement etc.) could serve the needs of the new development, **no on site space will be required on site**. The open space requirement can instead be met through a financial contribution towards open space. In many cases, however, particularly for larger development there will be a mixture of on-site and financial contributions.

2.31 In **areas which don't meet the accessibility standard**, or if the existing accessible space is too small to be able to provide an appropriate amount of space in relation to the size of the new development, **creation of new spaces (and/or improved access to existing spaces) is a priority**. Any new development in such an area would be required to provide accessible multi-functional open space in line with the quantity requirements set out above. Any developer contributions available for open space should be applied to addressing the accessibility shortfall.

2.32 Where a development could reduce accessibility to open space for neighbouring areas, this must be factored into the design to ensure that the accessibility standard continues to be met.

The accessibility standard is just as important as the quantity standard. In circumstances where a settlement or neighbourhood has a relatively high level of open space but some houses do not meet the accessibility standard, this must be addressed. In other words, where existing open space provision would be adequate but for lack of accessibility, the Council will seek to improve accessibility before requiring open space on site.

Assessing Quality of Existing Open Space

2.33 In many areas, the biggest open space challenge relates not to quantity but to the quality of spaces. The Council wish to have high quality open spaces throughout Dumfries and Galloway. Any new spaces created in an area should be of an acceptable quality and have management in place to ensure that this quality is maintained. When considering the need for open space in development, the Council will consider the quality of existing spaces to determine whether they provide an appropriate substitute for the provision of new open space and whether financial contributions should be directed towards them.

2.34 In all considerations of open space, there will be an objective of increasing multi-functionality of spaces to maximise their contribution to quality of place and the benefits that they provide to local communities. All spaces should, wherever possible, be multi-functional.

Increasingly, there is also a recognition of the benefits of incorporating green infrastructure functions, such as water management, into new and existing open spaces.

How will quality be assessed?

- Existing spaces

2.35 It will be possible to assess quality of existing spaces through consultation with local officers working, for example, in grounds maintenance, sports and leisure and community services. Data can also be taken from existing assessments such as Land Audit Management Systems (LAMS) which the Council already carry out for play areas, parks and gardens. The use of this data and specific consultation will be carried out as and when necessary. Applying it to the existing open space resource allows an identification of where investment is needed to bring spaces up to an acceptable standard. This can be used to target investment from developer contributions.

- New spaces

2.36 All new spaces should be designed to meet an acceptable quality standard and arrangements must be made to ensure that management is in place which can be expected to maintain this standard in the long term (see guidelines for specific open space typologies in Part Two for more details).

Open space provision in Non-residential Development

2.37 This SG does not include formal requirements for open space in non-residential developments. However, open space, over and above site landscaping, can make an important positive contribution. Connecting non-residential development, such as offices, to existing paths and open spaces supports healthy lifestyles and sustainable travel opportunities, and can be an attractive for employees, clients or visitors to the site. This could include, for example, spaces for staff to get fresh air, eat lunch or to partake in physical activity.

2.38 DGC may seek contributions from non-residential developments towards enhancing the accessibility or quality of off-site existing open space or paths in the vicinity of the development, in order to facilitate the extra demand created by the development. This is to be considered on a development by development basis.

Simple Guide to the Open Space Requirement Process

2.39 The questions below provide a basic guide to determining open space requirements:

Q.1 Does the existing amount of open space in the settlement meet (or exceed) the quantity standard of 6 hectares of publicly usable open space per 1000 people?

Yes – go to Q 2

No – on-site provision will normally be expected (see section 2.19 for exceptions)

Q.2 Is the new development site within a five minute walk of existing publicly usable open space of at least 0.2 hectares?

Yes – go to Q3

No – on-site provision will normally be expected (see section 2.19 for exceptions)

Q3. Would the nearby existing open space adequately meet the needs of the new development e.g. is it large enough in proportion to the size of the new development? of good enough quality? does it provide enough variety?

Yes – additional open space would not normally be required on site; a financial contribution would be requested instead

No – additional on-site will normally be expected or a combination of on-site provision and a financial contribution towards enhancing existing open space to meet the needs of the new development

Open Space Requirements in Villages

2.40 As the villages have not been subject to the same level of prior assessment and do not have specific open space settlement accounts, there may be a need to rely more on consultation with local officers to determine requirements. In general, however, it is still possible to use the same principles for open space requirements as set out for the larger settlements. That is, for any relevant development proposal in a village, an assessment will be made of the site requirements and of existing open space to determine whether new open space is required or if it would be preferable for the developer to provide a financial contribution towards improving any existing open space.

The Calculation of Developer Contributions (Refer SG)

2.41 Developer financial contributions for off-site provision will be based on the following guide:

- The developer may be asked to contribute a specific amount from the overall development to be used on new open space infrastructure which has been identified by the Council as being required in the area (this could be, for example, a new sports pitch or pavilion);
- Or, if there are no specific new open space projects requiring financial assistance, a sum of £1500 per dwelling when 5 or more units are being built to be used on general improvements to existing Council-managed open space (usually in the form of enhancement to existing spaces or creation or improvement to linkages to existing open space);
- Commercial and employment developments may need to provide open space but any alternative financial contributions will be determined on a site by site basis in line with discussions with the Council.

2.42 Developer financial contributions will be secured with a Section 75 or Section 69 Agreement. In most situations, the payment will be made towards upgrading existing provision. In situations where payments are to be made for the provision of new space, appropriate land values at the time of determining the planning application would need to be considered to allow for the purchase of new land.

2.43 Where financial contributions are made towards open space as part of a planning agreement, the Council will ensure that they are not spent on any other purpose than that for which they were provided. Where money collected is unallocated or unspent after a period of 5 years (unless there is good reason to extend this period), the money will be repaid in full on application to the developer along with any interest accrued thereon.

2.44 Any planning agreement will be related in scale and kind to the development, as per Planning Circular 3/2012 (Planning Obligations and Good Neighbour Agreements). Planning agreements will not be used to resolve existing deficiencies or to secure contributions to the achievement of wider planning objectives not necessary to allow permission to be granted. Therefore, although the Settlement Accounts will provide a baseline which will help tailor appropriate open space provision, the requirements will only be based on the expected needs arising from the new development. This will relate both to the needs for additional space from future residents or users of a development and on the potential impact that the new development may have on existing open space resources.

Small Developments

2.45 Developer contributions from many small developments will be too low to achieve worthwhile provision or enhancement in isolation. In these circumstances the Council will seek to aggregate contributions from two or more developments in order to achieve a worthwhile improvement in the quality or quantity of provision, as appropriate. This may take some time to achieve as developments will be likely to come forward over a period.

Phased and Other Large Developments

2.46 Some large developments may be built out in two or more phases over a period or by more than one developer. In these circumstances, applicants will be required to apply the open space requirements within the context of a comprehensive masterplan for the development. This will be considered as part of the planning process.

3. ADOPTION, MANAGEMENT AND MAINTENANCE

Maintenance and Management of Open Spaces

3.1 SPP emphasises that appropriate maintenance and management arrangements are essential to the quality of the open space environment. Open space maintenance relates to a set of defined tasks that aim to preserve the condition of spaces. Management of open spaces requires a long-term perspective, with flexibility to respond and adapt to issues or changes such as community needs and priorities, biodiversity, climate change, improvements to access, quality, safety and competing uses. It is therefore important that maintenance and management are given full consideration alongside the planning and design of spaces.

3.2 The planning system has limited control over open space maintenance. All new open space must be maintained either by the developer, through a Resident's Association (or a factor on their behalf) or be conveyed to DGC for adoption and maintenance. The Council will expect the open space areas to be maintained to an agreed standard in perpetuity. As part of a planning application the developer will be required to submit information to DGC that clearly sets out the open space maintenance regimes envisaged for the development, including whether it is intended to factor the maintenance of the open space and a requirement that the information to be supplied to home owners is made available to the Council at as early a stage as possible. The maintenance arrangements will need to be agreed prior to commencement of work and are likely to be a condition of the planning consent.

3.3 One option to management and maintenance is for the Council to adopt open space as long as:

- the open space, play areas, play equipment and safer surfacing have been laid out and installed to a satisfactory standard in accordance with the planning consent and to the satisfaction and specification of the Council at the time of adoption;
- arrangements for maintenance of any SuDS that are included as part of the open space provision has been included in the adoption agreement (see also Supplementary Guidance on Surface Water Drainage and SuDS);
- the transfer of these areas takes place free of charge and free of unacceptable or unduly onerous burdens, restrictions or other title conditions;
- the areas have been satisfactorily maintained for a year;
- the developer provides a lump sum on or before the date of adoption, sufficient to fund the management and maintenance for a period of 25 years which is agreed by binding agreement prior to the granting of planning permission (an up to date costing scheme and a quote can be provided on request);
- the developer pays all of the legal costs relating to the transfer of the land or facilities to the Council.

Appendix 3 of Part One sets out the detailed procedure for adoption of open space by the Council.

3.4 Other arrangements for the management of open spaces are available. These include:

- Common Areas maintained by Residents' Association with Factoring Arrangements: residents of a new development are responsible for management of the open spaces within the development, usually through a Factor. The Developer will normally appoint the factor initially however the residents must have the ability to change factors as they consider appropriate subject to the terms of the constitution of the Resident's Association;
- Third Party Arrangements can involve the Council or developers making arrangements with a suitable third party for long term maintenance. Examples of such third parties can include commercial grounds maintenance companies, local amenity organisations and environmental trusts;
- Maintenance by Community Organisations – through community empowerment there are a number of community groups who are taking on the responsibility of their community's open space management. There is scope and opportunities for this approach to be considered by developers
- If an alternative option is chosen or the Council do not adopt the open space, appropriate maintenance arrangements will need to be put in place. This will include the submission of a draft of the Deed of Conditions which will need to be agreed by the Council before occupation of any house to be built as part of the development.

PART ONE Appendix 1: Definitions of Open Space Typologies

Type	Description
Allotments and community growing spaces	Areas of land for growing fruit, vegetables and other plants, either in individual allotments or as a community activity.
Amenity greenspace	Landscaped areas providing visual amenity or separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities such as sunbathing, picnics or kickabouts.
Children's play areas	Areas providing safe and accessible opportunities for children's play usually linked to housing areas. Can also include provision for older children and teenagers, such as youth shelters and skateparks.
Civic space	Squares, streets and waterfront promenades, predominantly of hard landscaping that provide a focus for pedestrian activity and can make connections for people and for wildlife.
Green corridors	Routes including canals, riverbanks, cycleways, rights of way, disused railway lines and grass verges linking different areas within a settlement as part of a designated and managed network and used for walking, cycling or horse riding and which allow movement of wildlife along them. They can link settlements to surrounding countryside and link different green spaces together. They can often be seen as links that have been identified as being valuable to the realisation of the Green Network. Their principal characteristic is, or will be, connectivity.
Green networks	Green networks are a strategic system of existing and proposed green spaces and green corridors within and around settlements (including open space found within settlements), linking out into the wider countryside. The network can include woodland and other habitats, active travel routes, greenspace links, watercourses and waterways, providing an enhanced setting for development and other land uses and improved opportunities for outdoor recreation and cultural activity.
Outdoor sports facilities	Large and generally flat areas of grassland or specially designed surfaces, used primarily for designated sports (including playing fields, golf courses, tennis courts and bowling greens).
Parks and gardens	Areas of land normally enclosed, designed, constructed, managed and maintained as a public park or garden. These may be owned or managed by community groups.
Semi-natural / Natural greenspaces	Areas of undeveloped or previously developed land with residual natural habitats or which have been planted or colonised by vegetation and wildlife, including woodland and wetland areas.

PART ONE Appendix 2: Site Appraisal for Open Space

For large developments of 50 or more dwellings the Council may ask the developer to undertake a detailed appraisal of local needs as part of the local consultations required by the Planning etc. (Scotland) Act 2006. For such developments, DGC requires proposals to:

- Appraise the site's context (connectivity): this will ensure opportunities to connect to enhance opportunities for active travel, extending green networks, effective public open space planning, surface water planning, etc.;
- Appraise the site (place): this will identify features that can be integrated within the development proposals and connected to the wider network.

The context plan should extend to a distance of at least 500 metres around the proposed development site and show the location of all existing greenspaces and sport and recreation facilities within this area that residents of the proposed development will be likely to use, including (but not restricted to):

Site Context appraisal (approx. 500m from site boundary)

- Distances to existing open space
- Barriers to access to green spaces and community facilities, such as major roads, railway lines and watercourses
- Proximity to sites with international, national or local Natural Heritage designations
- Key streets with trees / hedges / vegetation
- Core paths, cycleways, active travel routes
- Water courses
- Habitat/habitat types
- Views in
- How will the scheme connect with the wider green space network and landscape character?
- Have existing natural and cultural features being incorporated into the proposed open space?
- Does the provision of open space within the site or masterplan area create lasting value, identity and a distinct sense of place for the scheme?

Safe and pleasant

- Will the development have active frontages to open spaces?
- Will all open spaces and routes to them be overlooked and safe?
- Will the proposed uses encourage activity at all times of day?
- Will the public and private space be clearly defined?

Habitats and Access to Nature

- How will open spaces connect with the wider green network in ecological and habitat terms?
- Has potential damage and impact on designated sites and protected species and necessary mitigation been considered?
- Have existing habitats and landscape features such as hedges, trees and watercourses been integrated into the open space?
- Have new accessible areas of habitat been created and do these contribute to local targets e.g. Local Biodiversity Action Plan / Nature Conservation Strategy?
- Have local native species been specified within the landscape proposals?
- Have natural play, education or interpretation opportunities been incorporated into open spaces to connect people with nature?

Access – Sustainable and Active Travel and Recreation

- Will a network of continuous routes incorporating open spaces be created within the site?
- How will the open space connect with the wider green network, the Core Paths Plan and meet the objectives of the Active Travel Strategy?
- What consideration is there for “access for all” and is it possible for all residents to access a range of open space from their home easily and conveniently?

Food Production and Energy

- Is there currently, or is there likely to be in future (due to housing mix) a demand for allotments in the area? And if so have these been designed into the layout of the scheme?
- Has solar gain and shelter been considered in the design and positioning of the open space?
- Does structural planting provide shelter from the prevailing winds in winter and shade in summer, improving the usability of public open space?

Flood Attenuation and Water Management

- Have sustainable drainage systems been designed to provide water resource management, increased biodiversity and an accessible recreational resource?
- Have rainwater harvesting systems been incorporated to provide water for irrigation gardens, open space and use within ponds and other water features?

Adaptable

- Will there be opportunities to make areas adaptable to a variety of future uses?

PART ONE Appendix 3: Detailed Procedure for Adoption of Open Space by DGC

On receipt of an application for planning permission in relevant developments, the planning officer will consult DGCommunities or appropriate nominated staff to comment on the suitability of any open space provision within the development.

If requested by the developer, DGC will consider the Adoption of the Open Space subject to this being provided to an appropriate standard as set out in these guidelines. In relation to the formal adoption of the open space in question, this agreement will be drawn up on behalf of DGC by Property Services in conjunction with Legal Services once the area of ground to be adopted has been clearly identified and agreed with the developer. Property Services will instruct Legal Services in this matter and as part of the process the developer will be required to provide scaled layout drawings of the site or sites to be adopted including full details of all services therein together with any amendments to such drawings as may occur during progress of site works. Copies of the drawings referred to above will be provided to Property Services.

The Developer will be required to meet all specification details in full as determined by DGC before the open space in question will be considered for adoption. It is therefore recommended that developers meet with Council officers on an informal basis when new residential housing developments are being contemplated to discuss likely requirements of the Local Authority in relation to open space provision.

In determining the suitability of open space for adoption, the following criteria will be taken into account:

1. Scottish Planning Policy / Local Development Plan 2 and Supplementary Guidance.

2. The suitability of the site or sites for provision of open space taking into consideration:

- a) Specific ground conditions relating to the suitability or otherwise of the site in relation to the needs of DGC for open space;
- b) The density, type and mix of housing to be provided;
- c) Requirements of LDP2 for Dumfries and Galloway;
- d) All appropriate factors relating to age groups likely to be resident within the development. This will allow consideration to be given to specific needs of residents such as sheltered garden areas, children's play requirements including provision and type of accessible play equipment; and sports pitch provision.

3. The suitability of the open space as proposed by the developer for its intended purpose. DGC will not accept areas of open space considered unsuitable for community use or which will have unduly high maintenance costs or Health and Safety implications due to layout or lack of accessibility.

4. House purchasers should be made aware by the developer that a designated open space adjacent to their property may be provided with items of children's play equipment or other recreational facilities deemed appropriate by DGC.

5. Fences, hedges and walls will be provided by the developer if required and must be to specifications approved by DGC. The Council will not be responsible for the future maintenance of fencing, hedging or walls used to enclose any open space or play area other than specialist fencing provided specifically in relation to children's play area, e.g. dog proof fencing and access gates.

6. DGC will not be responsible for the maintenance of boundaries between open space and properties. Adjoining owners will require to upkeep such boundaries at their expense and to the satisfaction of the Council.

7. DGC will provide the Developers with specifications for the establishment of areas of open space in relation to details such as landscaping including tree and shrub types and densities, grading, ground preparation, seed mix, fertiliser treatment, initial maintenance, specific drainage measures deemed appropriate, specifications for remote footpaths which will require to be to an appropriate adoption standard as detailed by DGC.

8. The Developer will be responsible for the establishment of the open space in question and will be required to maintain this during the growing season in which it is sown/planted and for a minimum of one full growing season thereafter to the satisfaction of the Council. Tree planting will be required to be as per planning consent and trees and shrubs which fail to establish will need to be replaced by the developer at their expense. The legal process relating to the formal adoption of open space by DGC will tie in with the end of the growing season referred to above and this will be agreed with the developer as part of the adoption process.

9. DGC requirements in relation to provision of children's play must be met in full by the developer. All play equipment must be manufactured to BSEN1176 specification or equivalent of this standard or above. All play equipment must be provided with appropriate safety surfacing to DGC specification and meeting the appropriate requirements of BSEN1176 and BSEN1177.

The developer will be required to install play equipment and safety surfacing to the satisfaction of DGC. Alternatively, the Council will be prepared to install the play equipment and safety surfacing on behalf of the Developer on a recharge basis if so requested. DGC will arrange to provide the Developer with a quotation for such works.

10. If the Developer meets all of the above requirements, DGC will consider adoption of the open space in question. This will be subject to the developer making a single, commuted payment to DGC equal to 25x the annual maintenance cost of the open space including all landscaping, planting, play equipment provision, street furniture, off-street footpaths etc. in advance of any formal adoption with the calculation based on rates applicable at the time of adoption. DGC will be responsible for the submission of an account to the Developer in respect of the single commuted payment in question.

11. The Developer will be required to meet all costs including DGC legal expenses in order to grant title to the ground in question to the Local Authority in order to allow the Council to formally adopt the ground in question. Such costs will include all expenses of Property Services in relation to their involvement with Legal Services concerning the formal adoption of the open space in question and Property Services will liaise with Legal Services in relation to the submission of an account for both legal and Property Services costs involved in the adoption of the open space. This account will be submitted on a separate basis from that by DGC for the upkeep and maintenance of the open space in question.

12. The Developer will be required to meet any other conditions considered appropriate by DGC in relation to specific requirements applying to any individual area of open space put forward for adoption by the Council.

PART TWO: OPEN SPACE QUALITY GUIDELINES

4. PART TWO INTRODUCTION

4.1 If it is determined that new space is required on site and is able to be provided, the preference is for the developer or specialist agents to design and build the open space to the satisfaction of the Council. In a phased development scheme that is major in scale (according to the definitions in Scottish Government Circular 5/2009 Hierarchy of Developments), the layout should be designed so that usable areas are available as soon as the first phase is occupied. In a development scheme that is local in scale, areas should be delivered no later than halfway through the development or an agreed timescale approved with the Council.

4.2 The Council will seek to ensure that any new open space provides a genuinely useful function and tries to address deficiencies in certain types of space, rather than simply replicating the types of space that already exist nearby. Negotiation with the developer, alongside analysis of the local context, will help to determine the most appropriate form of provision for that development.

4.3 All new spaces should be multi-functional - single use spaces and spaces with no identified function commonly lead to problems of antisocial behaviour in residential areas and should be discouraged. New spaces may have a strong primary function, for example meeting a key need identified from Settlement Accounts or as solutions to drainage, but they must be designed and managed to support other appropriate uses and functions.

4.4 The residents of different types of dwellings are likely to have different needs in relation to open space and sport and recreation provision. For example, new sheltered housing is not likely to increase the local demand for football pitches but will very often require on-site amenity space for the use of residents, even if there is existing provision nearby.

5. GENERAL QUALITY GUIDELINES

5.1 Open spaces should be designed as the focus of new developments. They are not the spaces between dwellings - they are the location for them. Therefore open spaces should link together to form a network wherever possible and dwellings should face open spaces and significant spaces should never be at the rear of them. This also aids informal surveillance, security and enhances perceptions of community safety.

5.2 The types of open space encouraged through the planning process should be of a high quality, serve the needs of the local community and enhance the surrounding environment. Open spaces should not be an afterthought, on space left over after all other design considerations have been set out. Opportunities to promote biodiversity, multi-functional use and to design spaces that are complementary to the local context will be encouraged.

5.3 The spaces provided should be appropriate to their function(s), with respect to size, location, orientation, sunlight, shelter, and management. Public spaces that are too large, lacking in natural sunlight or poorly designed can be unwelcoming and instil a sense of unease by those using them. In some instances smaller, higher quality spaces may be more

favourable. The following principles will be promoted through planning decisions in order to maximise the potential benefits of open space for communities:

Accessibility

5.4 Successful places are based on new development 'wrapped' around a framework of public open spaces linked by streets or footpaths, sited in easily accessible locations with high quality links for pedestrians and cyclists. Open spaces work best if they are located on well used routes and are faced by occupied buildings. Footpath and cycle links which follow established or predicted desire lines connecting all parts of a site to well- located open spaces with high quality facilities can encourage active travel, reducing the demand for vehicular travel by local residents.

5.5 Larger areas of public open space should be centrally located, accessible and overlooked in locations where people are likely to want to congregate, providing important focal points and recreational facilities. Where possible, roadways around public open spaces should be designed in such a way that pedestrian access is easy and safe.

Good quality open space will:

- be located so they connect with existing routes and green networks;
- be within suitable walking distance of housing (ideally placing the most significant spaces in a central location within a development to provide a focal point of activity aided by proximity to key access routes);
- contain suitable pathways (carefully consider material choice; avoid awkward route deviations and steep gradient changes; complement and / or enhance existing street layout);
- be suitable for disabled access (parking provision; dropped kerbs; level access; does topography affect access and space function?);
- incorporate transport links and core paths where possible (consider incorporating existing and potential future links into design considerations);
- set out clearly defined routes to and through the space (through surface material / colour; utilising key views along access routes; signage to highlight key local landmarks and routes; clearly defined public and private areas in housing developments);
- ensure any cycle parking provided is conveniently located, secure, easy to use, adequately lit, well signed and sheltered from rain.

Attractiveness

5.6 Good quality open space will be attractive, safe, uncluttered and designed in such a way as to be attractive and usable by everyone, and will also:

- utilise natural surveillance of overlooking properties to deter vandalism and graffiti (avoid blank walls fronting the space and along access routes);
- use quality materials appropriate to space type (durable enough to sustain likely user demands and weather conditions);
- provide suitable furniture to meet user needs (litter bin provision, seating to offer a place to watch and potentially socialise with other people);
- incorporate varied and appealing planting that contributes to the quality of place (to enable the space to have sustained flowering throughout the year; uses various colours and textures); New planting should be integrated into street designs wherever possible. Planting can help to soften the street scene, reinforcing a local identity, creating visual interest, improving the micro-climate and providing a valuable habitat for wildlife. Tree planting should be considered as part of an overall townscape concept. Trees should be used to define space, frame views and create attractive places such as avenues and squares. The planting of a single large specimen tree as a feature may be effective in defining a space such as a square or terminating a view. Planting should be integrated into the overall site, individual street

and public open space designs; High quality planting should be used which is durable. Only healthy trees and shrubs which are appropriate for their location should be used. Planting should be positioned where it will survive its environment and flourish, taking into account light, water and shelter requirements.

- incorporate natural features / landscaping (a balance should be considered between the likely maintenance required and the quality/benefits of the planting employed e.g. prairie planting can reduce maintenance, enhance biodiversity and attractiveness).

Biodiversity

5.7 Protecting existing natural heritage assets and enhancing biodiversity are fundamental principles when considering open space. The Council has statutory responsibilities in terms of protected species and habitats that may be found to be present on the sites which could impact on the design of development.

5.8 All on-site open spaces, water areas and watercourses should promote biodiversity and support nature conservation by protecting and enhancing existing habitats and wildlife corridors and creating new ones. This will benefit the quality of new spaces, increase habitats for wildlife, create distinctive developments, aid navigation and create interesting environments for play and leisure activities.

5.9 It is important that open spaces add to existing features and landscape elements in and around the site to create a network of green corridors linked together by footpaths and cycle paths which will reduce reliance on the car. Existing natural features on the site can provide shape and structure to open space, for example wildlife corridors and linear parks/play spaces based around a watercourse or footpath can improve connectivity between areas of open space and should be identified as part of the early appraisal process and integrated into the design. This means retaining and incorporating existing natural assets such as mature trees, hedgerows, habitats, wildlife features and watercourses, as key features of the layout or creating new ones.

5.10 Specifically, good quality open space will:

- incorporate vegetation that promotes development of native habitats and species (can be complemented with other features such as bird boxes, water features, ornamental planting, use of native plant species and wildflower mixes grown from locally sourced seed);
- aid natural flood mitigation i.e. SuDS;
- integrate the wide green network where possible (consider whether natural links can be developed to other spaces through the use of trees, desire paths, hedges, grass verges, planting etc.);
- ensure that existing features, topography and views (into, out and within the site) such as trees, hedgerows, watercourses and high ground are retained where possible and incorporated into new areas of open space;
- if there are any existing trees on a proposed open space site, comply with LDP2 policy NE8 (Trees and Development).

Promoting physical activity

5.11 All open spaces within residential areas should be considered as possible play spaces and consideration given to ad hoc play opportunities that could be afforded to children by the sympathetic and imaginative use of natural features within the landscape. Good quality open space will:

- where possible, try to provide activities for all age groups (by offering a range of activities from play equipment, seating opportunities, recreational space and planting);

- promote social interaction (by encouraging people to regularly use the space through activities offered and aided by proximity to pedestrian routes);
- be designed to encourage activity with paths, benches and opportunities for play (although public access may not be appropriate for some areas of habitat).

Community Benefits

5.12 Open space should be seen as an important community facility and an asset to a development. Where possible (usually for a major development), communities should be involved in the planning, design and development of their open spaces; open spaces should support social inclusion, community development and lifelong learning. Public spaces must be designed to be accessible to all with consideration given to all disability groups. Consultation with potential future user groups can provide information essential to the delivery of a successful and useable scheme.

5.13 Good quality open space will:

- avoid areas of poor visibility or entrapment points (encourage natural surveillance; ensure design does not create safety concerns through unnecessary pinch points and confined access routes);
- incorporate appropriate lighting (to prolong use of space when dark; sense of security; low level lighting can provide more subtle effect to highlight paths and features; see also Supplementary Guidance on lighting good practice);
- where possible, provide linkages to community facilities (to help promote usage and awareness of space as part of everyday routines);
- enhance a sense of local identity and place (e.g. design utilises views, artwork/materials specific to the location);
- consider that potential for community involvement in the management of the space (enables opportunities to establish resident or community group as per maintenance agreement terms)
- ensure that space is overlooked by buildings and streets and easily accessible to all;
- minimise potential nuisance: spaces or facilities (e.g. pitches or teenage facilities) that will generate noise, light spill or other nuisance for the occupiers of nearby dwellings should be located as far away from them as practicable
- conform to the principles set out in the ACPO *Secured by Design* guidelines

Adaptable, Robust and Resource Efficient

5.14 Where public space is valued, residents will care for it more and maintenance costs can be lower. Unloved and underused open space is a liability which must be maintained even when it is not valued. Successful public spaces are designed with care, to include robust, fit for purpose materials and planting that are easy to maintain and have good lighting. The arrangements for future management and maintenance of public spaces must be identified at an early stage of the design process, as these will have an influence on their design and detail.

5.15 Open spaces should be multi-functional where appropriate and be able to change over time to meet evolving local needs. They should be usable by all people to the greatest extent possible without the need for specialised design. Spaces should offer variety and choice to potential users and be designed to provide interest throughout the year. They can offer multiple benefits, such as opportunities for outdoor recreation, sustainable travel, conserving and promoting natural and cultural heritage, enhancing the landscape and providing sense of place and local distinctiveness. With early and careful consideration it is possible to achieve cost savings through combining uses and benefits. Notwithstanding this, all open spaces should still have a defined primary purpose, be designed for that purpose and accord with the appropriate quality specification.

5.16 Open space should aim to be more natural, respecting natural processes and integrating with them. For example less short grass, which can be expensive to maintain, and more meadow or low maintenance (but managed) grassland areas with native wild flowers, or woodland. They must be designed for easy and cost effective maintenance by machine wherever possible. Good quality open space will:

- be designed to be flexible, so they can be easily altered to adapt to changing future circumstances;
- be able to accommodate a number of different functions such as amenity, biodiversity, SUDS, sport and recreation, play and food cultivation maximising the benefits they can provide;
- be located in prominent positions as much as possible in order to maximise their use e.g. as informal play space;
- ensure that key SuDS components such as basins, ponds and wetlands are designed as an integral part of open space provision and contribute to amenity as well as sustainable drainage and the control of potential flooding; SuDS should be designed within the context of an overall landscape plan to reinforce local landscape character and work with existing hydrology and habitats; open water should be designed to allow public access with minimum risk;
- ensure that the design of new open spaces works with the topography of the site to reduce the need for cut and fill and the movement of materials;
- carefully consider the design and specification of planting; this should respond to the form and function of the space and provide interest in all seasons. Trees and plants specified must be appropriate to their location so that they do not become problematic in the future;
- ensure that any lighting provided is used to enhance the use, attractiveness and safety of the space but that the impact of lighting on wildlife is considered;
- ensure that the design and selection of materials has considered the resources required for future maintenance;
- develop a maintenance regime that allows for less managed areas to be created, for instance leaving 3-5m strips of longer grass either side of hedgerows or leaving grassy margins at the edge of woodland; grass mixtures should be low maintenance and shrub beds densely planted with low maintenance shrubs and mulched with bark chips on top of landscape fabric.

Large Sites requiring Masterplans

5.17 Masterplans for large residential developments should have a strong landscape structure based on a path network system. This should broadly follow likely desire lines, provide varied and interesting views and link the development with points of interest either within or close to it. These points of interest will include viewpoints, shops, schools and other community facilities as well as green corridors and the core path and wider access network wherever possible (note: on some sites, such as playing fields and sports pitches, it will be necessary not to compromise the main use of the site).

6. DESIGN QUALITY SPECIFICATION FOR DIFFERENT TYPES OF OPEN SPACE

Recommended minimum sizes are quoted for relevant open space types. However, as with all provision, the Council will use these standards as a starting point but will be willing to interpret them with flexibility depending on the context of the development.

Allotments

6.1 Developments that are likely to cause a demand for small-scale, local food production, such as high density housing, or flats may need to include the provision of allotments as part of their open space provision.

Recommended Minimum Size

Around 1,500m² (0.15 hectare) which should also allow for the communal areas of the site.

Infrastructure, facilities and features

- Must comply with the general requirements set out in section 2, where relevant.
- All sites must have mains water provision; however, this should only be used to supplement primary use of collected rainwater. Metered water supply with turn taps on stand pipe(s) – one standpipe per 10-15 plots; Sites should make use of water efficiency opportunities, i.e. ground water, rainwater capture; any buildings, sheds or glasshouses must incorporate rainwater collection systems;
- Wherever possible, it is recommended that paths are built using reclaimed materials;
- Sheds must be limited to one per plot, no more than 8ft by 6ft in size. A larger shared site hut may be erected on a communal plot;
- Sustainable technologies should be used wherever possible, for example building design and construction, waste water and energy sources;
- Signage at site entrances giving details of ownership and how to apply for an allotment; also emergency telephone numbers;
- Communal storage on all sites with fewer than 20 plots;
- Recommended that toilets are provided, except where there are alternative public facilities within 500 metres; composting toilets are recommended as both the cheapest solution and that with the least environmental impact; on small sites where it is not feasible to provide toilets, distance from home should be considered when letting allotments; at least one communal toilet which would comply with the disabled access requirements of the Equality Act 2010 – one per 50 plots; natural / low maintenance systems preferred, i.e. off the main water network – soakaway / septic tank;
- Appropriate measures should be taken to ensure a safe site, e.g. securely fenced with lockable gates, natural surveillance, lockable communal storage area / meeting space; site security considerations will depend on local factors; sites bounded by housing may require less security than those in more open, unsupervised area;
- The council promotes waste awareness and encourages the principles of Reduce, Reuse, Recycle; composting should take place on all sites, either communally or by individual plot holders; all other waste should be reduced to a minimum and be recycled if possible;
- Where possible, hedges should be planted to support biodiversity and to provide shelter and privacy;
- Allotments should be designed to fit well into the landscape;
- Where space allows, a communal garden area will help to support the social inclusion and community cohesion benefits of the allotments;
- Paths giving access to allotments must comply with the requirements of the Equality Act 2010; at least one disabled friendly plot with wheelchair access and raised beds;
- As a minimum, parking facilities for at least 1 car per 10 allotments must be provided, with a minimum provision of 2 spaces and it is recommended that secure cycle storage is also provided.

Amenity Greenspace

6.2 Such spaces can be defined as landscaped areas providing visual amenity or separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities. When located in housing areas, they should be designed to allow for children's play.

Recommended Minimum Size

500m² (0.05 hectare)

Infrastructure, facilities and features

- Must comply with the general requirements set out in section 2, where relevant;
- Amenity spaces should be designed to create a sense of place and provide a setting for adjoining buildings, with “sun traps” sheltered from the prevailing winds;
- Comfortable seating should be provided where possible, in both sunny and sheltered areas, ideally overlooking points of interest or attractive views;
- They should be located away from sources of potential danger to unaccompanied children such as busy roads;
- There should be a clear distinction between public and private or semi-private areas for residents;
- Drainage measures should be in place to prevent spaces becoming waterlogged after heavy rain; however, this should not result in flooding elsewhere;
- Spaces should allow for passive surveillance from nearby properties (whether on or off-site), but in a way which respects the privacy of occupants;
- See also guidance for playspace as most amenity greenspaces should be attractive but non-equipped play spaces for children;
- They should incorporate a balance of mown grassed areas, in varying widths or sizes (large enough for informal recreation), wildlife meadows and long life, mixed indigenous and ornamental species and ages of trees or shrubs, but with a predominantly open character;
- Where possible, they should include a range of habitat types e.g. woodland, grasslands, hedgerows, areas of dense planting; they should include buffer or shelter planting as necessary;
- Adequate litter and dog waste bins should be provided;
- May incorporate public art or heritage features;
- Vehicle access and parking not required, although there must be an adequate means of access for maintenance machines.

Green Corridors

6.3 Green corridors can be made up of routes such as woodland and watercourse corridors and disused railway lines, linking different areas and open spaces within a settlement as part of a network used for walking, cycling or horse riding, or linking settlements to the surrounding countryside.

There is no minimum size, but corridors should generally be not less than 500 m (0.5 km) long

Infrastructure, facilities and features

- New spaces should be clearly signposted to indicate access and any links to the wider network of green corridors;
- The space should be welcoming and safe with no dense planting close to the path or cycle route;
- Comfortable seating should be provided where appropriate;
- Adequate litter and dog bins should be provided;
- Appropriate safety measures should be incorporated adjacent to or at crossings of rail lines or busy roads;
- There should be good sightlines along the route so that users can see potential danger well ahead;
- Paths should be free from overhanging branches, exposed tree routes and other trip hazards;
- Any new planting should provide a good balance and variety of plants and shrubs, including flowering and non-flowering species, including a range of tree species and ages, providing a range of habitat types;

- Parking is not required, although there must be an adequate means of access for maintenance machines.

Natural / Semi-natural Greenspaces

6.4 These include areas of undeveloped or previously developed land with residual natural habitats or which have been planted or colonised by vegetation and wildlife, including woodland and wetland areas.

Recommended Minimum Size
1,000m² (0.1 hectare)

Infrastructure, facilities and features

- Spaces should have a natural appearance and include minimal man made artificial features, promoting a sense of nature and tranquillity and incorporating a diverse range of habitats to support wildlife;
- The space should make good use of topography and also views out of or across the site;
- Where possible, access points and internal paths should be linked to rights of way, other paths and cycling routes and water courses to create wildlife corridors and a network of greenspaces; with clear and coherent signage to and throughout the site as appropriate;
- Provide information on flora and fauna and cultural heritage where possible;
- There should be a good mix of native species and habitats, depending on site characteristics;
- Adequate litter bins and comfortable seating should be provided where appropriate;
- Signs requiring dogs to be kept under control in a manner appropriate to the habitats in and around the space should be provided where necessary;
- Adequate safety measures adjacent to areas of water (will depend on size, depth and current, if any) will need to be provided;
- Parking is not required for spaces of less than 0.5 ha, but adequate parking (including cycle parking) for spaces larger than this may be required.

Public Parks and Gardens

6.5 These are areas of land, normally enclosed, designed, constructed, managed and maintained as a public park or garden.

Recommended Minimum Size
5,000m² (0.5 hectare)

Infrastructure, facilities and features

- Must comply with the general requirements set out in section 2
- Spaces should have well defined boundaries or perimeter, preferably enclosed with railings or walls
- There should be a clearly visible and welcoming appearance at the entrance (ideally signed on nearby roads and pedestrian or cycling routes) and clearly identifiable points of interest to draw visitors in, and with good views through and across the park so that each visitor is providing a form of informal surveillance of other users;
- The design should make good use of topography so that slopes are gentle, views across and out of the space are attractive and visitors can get a sense of scale;
- There should be a range of natural and man-made structures or heritage features such as ponds, statues, buildings and ornamental railings;
- There should be reasonable privacy for the residents of nearby dwellings;

- Planting should incorporate a diverse species of flowering and non-flowering trees, of various ages, including native species; also shrubs and plants providing a wide range of habitats
- Hedgerows, where present, should be reasonably dense, thick and bushy so as to provide habitats
- Some areas of dense planting should be created which do not allow hiding places but provide habitats for small animals and birds;
- Adequate lighting should be provided for appropriate paths;
- Could include public art, linked to the path network;
- Informative interpretation signs or other material relating to natural features, heritage features, wildlife, and landscaping;
- Adequate signage giving directions both within the park and to nearby streets or features of interest outside it
- Provision for children and young people, where provided – see section 3.6; sports facilities, where present – see section 3.7;
- Vehicle access is not required for small local parks of less than 1 ha, although there must be an adequate means of access for maintenance machines and parks of over 1 ha should have an on-site car park; secure bicycle storage at the main entrance to the park, at least, and ideally secondary entrances as well.

Play Areas for Children and Young People

6.6 These are spaces and facilities designed for active and imaginative play by children and young people consisting of equipped play facilities and informal play opportunities for children and young people. The design of play areas will depend on the context within which they are set, but in addition to a wide range of high quality play equipment they should normally incorporate other features as set out below. Play areas should be designed to accommodate all age groups and encourage natural play incorporating areas of planting, places for socialising and space to run around, kick a ball etc. Further advice is set out in *Free Play: A Guide to Creating Accessible and Inclusive Public Play Areas 2018* <https://www.inspiringscotland.org.uk/wp-content/uploads/2018/05/Free-to-Play-Guide-to-Accessible-and-Inclusive-Play-Spaces-Casey-Harbottle-2018.pdf>

Recommended Minimum Size
50m²

Infrastructure, facilities and features

- Must comply with the general requirements set out in section 2, where relevant;
- Play areas should be situated close to housing and located in a way that encourages informal supervision (e.g. overlooked by housing) and be accessed from paths and quiet streets, not busy roads;
- They should include measures to ensure the proper control of dogs by their owners;
- They should provide an appropriate level of seating for parents or carers (including picnic tables and shelters); appropriate safety surfacing where required;
- Litter bins of a type approved by the Council should be provided
- Appropriate signage should be included;
- Appropriate path or other lighting should be provided;
- Where possible, the design should incorporate Informal facilities designed for young people approximately 13-18 years old in which they can “hang out” and practise various sports or movement skills such as basketball, inline skating, skateboarding and other wheeled sports. Ideally, they should be located close to a multi-court (see Section 3.7);
- Planting should include a good mix of “child-friendly” plant and tree species to add interest for users;
- Equipped play areas must comply with the following European Standards:
 - EN1176, Playground Equipment Standard (1997, with additional

recommendations in 1998 and 1999)

- EN1177, Impact Absorbing Playground Surfacing – safety requirements and test measures (1998)
- BS EN 14974:2006+A1: 2010, Facilities for users of roller sports equipment – safety requirements and test methods
- BS EN 15312:2007+A1: 2010, Free access multi-sport equipment requirements, including safety and test methods
- Grassy mounds, fallen but secure trees, logs, and boulders (as these will also be used for climbing and balancing) can all help to improve the visual setting for play and add to the range of play opportunities in addition to fixed equipment;
- Surfaces within play areas, and the access to them from nearby path systems, must be free draining so they do not become waterlogged or boggy after heavy rain;
- Areas should be defined and protected by natural boundaries such as shrubs, plants and trees, which add play value and complement their appearance; however, where fencing is required, as large an area as possible should be enclosed to give a sense of freedom, rather than corralling within the play area;
- Vehicle parking is not required, although there must be an adequate means of access for maintenance machines.

Outdoor Sports Facilities

6.7 These are defined as large and generally flat areas of grass land or specially designed surfaces, used primarily for designated sports and including grass and artificial sports pitches for football, cricket, rugby etc; bowling greens; and tennis and multi-sport courts.

Note: the Council will advise developers of its specific requirements for outdoor sports facilities in the course of or following pre-application discussions

Local requirements for outdoor sports facilities will depend very much on the context within which a proposed development will be set and therefore specific advice on sports provision cannot be given in this Guidance. The Council advises developers to discuss potential sports provision needs with the Leisure and Sport section (within Community and Customer Services) as early as possible in the development process. Developers should also refer to the Council's Leisure and Sport Strategy.

Recommended Minimum Size
See below for different facilities

Infrastructure, facilities and features

- Must comply with the general requirements set out in section 5, where relevant;
- All hard surfaced areas should incorporate a SuDS

Sports Pitches

Minimum Size

100m x 60 m with proportionate changing and parking

Infrastructure, facilities and features;

- Facilities and surfaces to also meet relevant governing body requirements in terms of even-ness of surface, boundary distances (cricket) and side clearances or safety margins and other relevant technical guidelines;
- Appropriate space provided for storage facilities e.g. to store portable goals;
- Dog bins plus signs indicating that dogs must be kept on a lead and any fouling picked up and disposed of responsibly;
- Adequately separated from adjoining residential properties;
- Adequate measures in place to control light spill from floodlighting to adjoining properties and related land;

- Wide access routes with clear sight lines at site entrance/egress;
- Hard surfaced paths following desire lines from parking to pavilions;
- Paths and buildings fully accessible by wheelchair where appropriate;
- Path system appropriate to the circulation needs of players within the site, with wide, hard surfaces in heavily trafficked areas (to avoid constant muddy areas);
- Strong structure planting around the perimeter of the site using native species (designed as buffer planting to reduce wind on pitches and noise or light spill as appropriate to the site and adjoining properties or roads and also to promote biodiversity);
- Internal structure planting where appropriate; amenity or naturalistic landscaping in the vicinity of buildings and car parking;
- Changing rooms (with the number of rooms appropriate to the number of pitches or other facilities on site) consisting of changing spaces, showers and drying area, plus separate changing for match officials where appropriate;
- Adequate security for buildings;
- Passive surveillance from nearby properties;
- Floodlighting with suitable controls to prevent unauthorised use to relevant governing body requirements for the standard of play and designed to minimise light spill to nearby properties;
- External lighting in car parking areas;
- External lighting on pavilions with PIR detectors;
- Well drained pitch surfaces;
- On-site parking for not fewer than 15 cars per pitch for football and cricket pitches; and not less than 20 cars per pitch for rugby pitches plus one space for every 15 spectator seats in stands; should include adequate cycle parking.

Bowling Greens

These are lawn bowls greens meeting appropriate governing body standards.

Minimum Size

Greens with a grass playing surface: 6 rinks plus banks and ditches, a pathway at least 2 m wide all round the green and a pavilion. This requires a site of not less than approximately 41 x 45 m, i.e. approximately 1,845 m² (0.19 hectare).

Greens with an artificial playing surface: 3 rinks plus banks and ditches, a pathway at least 2 m wide all round the green and a pavilion. This requires a site of not less than approximately 41 x 30 m, i.e. approximately 1,230 m² (0.12 hectare).

Infrastructure, facilities and features

- Green, banks and ditches meeting relevant governing body standards;
- No broad-leaved trees overhanging the green;
- Freedom from over-shadowing;
- Hard surfaced path all round the green;
- Shelter planting/screening to provide summer time shelter from wind, privacy for bowlers and support biodiversity;
- Changing pavilion with at least male and female changing rooms and social area;
- Rabbit proof fencing;
- On-site or nearby off-site parking for not less than 15 cars per green.

Tennis and Multi-Courts

Tennis courts and multi-use games areas, usually with a hard or synthetic surface, and used for tennis, 5-a-side football, netball, outdoor basketball and roller/in-line skating.

Minimum size

36.5 x 18.25m (court only) plus surround

Infrastructure, facilities and features

- Reasonably sheltered from the wind;
- A free-draining or impervious surface laid to appropriate falls to shed water;
- Surrounded by netting which prevents balls escaping from the court(s) area;
- Oriented within 30 degrees of north-south;
- Amenity planting composed mainly of native species to improve appearance, provide shelter, reduce noise transfer and promote biodiversity;
- Floodlighting (if present) to meet governing body requirements;
- On-site parking for not less than 2 cars per tennis court; on-site parking for 3 cars per floodlit multi-court; no parking required for non-floodlit courts; include adequate cycle parking.

**DUMFRIES AND GALLOWAY LOCAL
DEVELOPMENT PLAN 2**

**SUPPLEMENTARY GUIDANCE OPEN
SPACE AND NEW DEVELOPMENT**

**PART THREE:
OPEN SPACE SETTLEMENT ACCOUNTS**

**PART FOUR:
PROTECTED AREAS OF OPEN SPACE IN
VILLAGES**

**to be reviewed and updated following adoption
of Local Development Plan 2**