

**East Riding Local Plan
Open Space Supplementary
Planning Document**

**Consultation Statement
November 2016**



EAST RIDING

OF YORKSHIRE COUNCIL

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1. Background

- 1.1 In preparing Supplementary Planning Documents (SPDs), the Council is required to follow the procedures laid down in the Town and Country Planning (Local Planning) (England) Regulations 2012¹, and its own adopted Statement of Community Involvement (SCI) (2014)².
- 1.2 Regulation 12 stipulates that before adoption of an SPD, the local planning authority must prepare a statement setting out:
- The persons that the local planning authority consulted when preparing the SPD;
 - A summary of the main issues raised by those persons; and
 - How those issues have been addressed in the SPD.
- 1.3 This Consultation Statement accompanies the Open Space SPD. The SPD provides guidance on how Policy C3 (providing public open space for leisure and recreation) should be implemented.

2. Consultation

- 2.1 Preparation of the draft SPD involved consultation and engagement with the Council's Open Space Working Group (OSWG) and a wider working group. Regular meetings were held to consider the content of the SPD, which was a standing item on the OSWG agenda.
- 2.2 The draft SPD, Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion were made available for statutory public consultation between 25 April and 10 June 2016. A wide range of stakeholders were consulted, including the following bodies and persons:
- All Town and Parish Councils;
 - Consultees registered on the Local Plan database who had previously made representations on the open space policy at any stage in the East Riding Local Plan process;
 - Duty to Cooperate Bodies³;
 - Elected Members;
 - Planning agents registered on the Local Plan database; and
 - Specific Consultation Bodies⁴.
- 2.3 In accordance with the Council's Statement of Community Involvement, the SPD and associated documentation was made available for inspection on the Council's

¹ Available to view from: <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

² Available to view from: <http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/statement-of-community-involvement/>

³ Listed in Appendix D of the Council's Statement of Community Involvement (SCI)

⁴ Listed in Appendix D of the Council's Statement of Community Involvement (SCI)

website⁵ and in all customer service centres and main libraries. Comments were invited in writing, by no later than 10 June 2016, either by post or email. The consultation was also promoted in a press release and reported to the Council's Planning Committee and two Planning Sub-Committees.

3. Consultation Responses and Main Issues

3.1 A total of 15 representations (64 individual comments) were received to the public consultation. A number of these representations expressed broad support for the preparation of the SPD. The majority of representations were submitted by Barratt and David Wilson Homes. Representations were also received from the Environment Agency, Hull City Council, the East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum, Gladman Developments and a number of Town and Parish Councils. A summary of these representations, together with the Council's response is available to view in Appendix 1. The main issues raised through the consultation are noted below.

Evidence base

3.2 Sport England and others raised concerns regarding the evidence base for open space which was considered out of date. Sport England requested that the Council undertake a review the Playing Pitch Strategy.

3.3 A separate teleconference took place between the Council and Sport England to clarify matters regarding the evidence base for open space and the Council's commitment to a new Playing Pitch Strategy. Subsequent correspondence from Sport England identified that they were supportive of the approach being taken by the Council.

Process for determining open space requirements

3.4 Consultees generally supported the availability of electronic tools, enabling applicants to determine their open space requirements. However concerns were expressed regarding the complexity of the process for determining open space requirements.

Commuted sums

3.5 Barratt and David Wilson Homes requested further information on how the commuted sums for open space were calculated, why commuted sums are collected and how monies are spent by the Council.

Viability

3.6 Barratt and David Wilson Homes suggested the draft SPD does not have sufficient regard for development viability.

Maintenance of open space

3.7 Gladman Developments supported the option for developers to maintain open space, for example through a management company.

4. Main changes to the SPD

⁵ www.eastriding.gov.uk/spd

4.1 All responses to the public consultation have been considered in preparing the final SPD. None of these require a significant changes to the overall approach in the consultation draft, which was generally supported. It is clearly not always possible or appropriate to make specific changes to reflect every consultation response. This is because there are often conflicting opinions and evidence on the preferred way forward. The main changes are summarised as follows:

- Amendments to clarify that the Council maintains an up to date evidence base for outdoor sports facilities. This includes a commitment to prepare a new Playing Pitch Strategy in consultation with Sport England.
- Amendments to clarify how the open space data is kept up to date by the Council. This ensures that recently provided or upgraded open space is considered when making decisions on planning applications.
- Inclusion of additional references to the electronic tools (GIS mapping system/Open Space Calculator) that are being made available to help applicants determine their open space requirements. These tools help explain why and when open space, or commuted sums to provide/improve open space, are requested by the Council.
- Further explanation regarding how commuted sums have been calculated.
- New reference to the Local Plan Viability Assessment, which has taken into account the open space standards set out in Policy C3. Policy C1 is now also referenced. This recognises that economic viability of development will be a relevant factor in determining the level of development contributions..
- Inclusion of a model Section 106 planning obligation (legal agreement) for securing open space.
- Amendments to the maintenance commuted sums to take into account a mathematical error and the latest Sport England best practice on playing pitch maintenance.

Appendix 1: Summary of representations

Comment No	Respondent	Section of Draft SPD	Summary of Comment	East Riding of Yorkshire Council Response
OSSPD/1	Highways England	n/a	At this level of the Local Plan, Highways England have no comments regarding the formulation the SPD.	Noted.
OSSPD/2	Skidby Parish Council	n/a	Support for provision of public open space for leisure and recreation as part of new residential developments. Agreement in principle with the contents of the document and provision of public open space.	Support noted and welcomed.
OSSPD/3	Hessle Town Council	Section 9	Committed sums raised for play/open space should be ring-fenced for the relevant local community/parish area.	The general principles for spending committed sums are set out in section 9 of the SPD. Monies will be spent within the accessibility distance (set out in table 2 of the SPD) or within the parish boundary. This will ensure committed sums are spent in a way which still meets the needs of local residents.
OSSPD/4	Withernsea Town Council	Section 2 Table 1	Seafronts and promenades are not included in the definitions of open space. For towns like ours, the seafront is a key open space resource for leisure, activities and events for the community. It is essential that these areas be included in the definition of Open Space in the final planning document.	The different types of open space are set out in Table 12 of the Local Plan Strategy Document. This was based on an assessment of open space undertaken through the Open Space Review (2012) and Playing Pitch Strategy (2012). The Open Space Review excludes promenades as they were considered as non green pedestrian travel routes.
OSSPD/5	Walkington Parish Council	n/a	Support for preparation of document as a valuable guide to developers and local representatives. It is particularly pertinent in Walkington where over the years developers have made little contribution towards amenity. There are 2 ways in which developers may be forced to make their contribution, either through Section 106 agreements, or the Community Levy which will be used to finance community services provision on a much wider scale.	Support noted and welcomed.
OSSPD/6	Walkington Parish	Section 2	The National Planning Policy Framework defines open space as	Ponds are classed as a type of natural/semi-natural green

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	Council	Table 1	- "All open space of public value, including not just land, but also areas of water" The document does not however refer to the village ponds which provide a special sense of place in their communities as well as a different wetland ecology. A case could certainly be made for some of the Community Levy being used to maintain and improve these priceless open amenity assets.	<p>space in the Open Space Review. Table 1 (different types of open space) of the SPD has been amended to clarify this.</p> <p>Table 4 confirms the Council intends to deliver natural/semi-natural green space through CIL.</p> <p>The Walkington village pond known as "East End Walkington Mere" is included within the supply of open space for the village.</p>
OSSPD/7	Walkington Parish Council	n/a	Records indicate that there are no parks and ornamental gardens in Walkington. There is, however, Townend Park and also Memorial Wood but these seem to have been overlooked.	Townend Park and Memorial Wood are both included within the assessment. Townend Park is known as "Westend Pit Amenity Land".
OSSPD/8	Walkington Parish Council	n/a	Records demonstrate a shortfall in the amount of natural and semi-natural green space although there is a substantial supply to the south of the playing fields and Beech Walk path. It would be helpful for the parish council to be asked to check the survey work to ensure that the results are sound as it would be unfortunate if a faulty basis were to be used in negotiations with developers. The Parish Council request that a map setting out the needs of the village be supplied for checking by the Parish Council so that the knowledge of the parish council might inform the process.	The Parish Council have been provided with the Supply Report for Walkington and a map showing the open spaces in the village. This information is also available to view on the Council's website.
OSSPD/9	Walkington Parish Council	n/a	A shortfall would seem to exist in the availability of convenient equipped play areas for small children. These are supposed to be located not more than 100 metres from the dwellings they serve. The sites to the north and south of Walkington House on Townend Road included no play space and yet they both fall into the category of development sites that should include such space and Townend Park may not be deemed to be an eligible location for such equipment. The Council should consider how equipped	Policy C3 requires open space to be provided on-site where practicable, however, this may not always be possible. For example, the proposed development could be too small to generate a useable and useful area of open space. Where it is not practicable to provide open space on-site and alternative off-site provision is considered appropriate, a financial contribution (i.e. a commuted sum) will be requested by the Council. This

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			play spaces for the children housed in the approved housing sites to the north and south of Walkington House will be secured.	is set out in section 9 of the SPD.
OSSPD/10	Walkington Parish Council	Paragraph 3.5	There is an error in paragraph 3.5 (refers to an average waking pace).	Noted. This error has been amended ('waking' replaced with 'walking').
OSSPD/11	Walkington Parish Council	n/a	<p>The assessments should be defensible. There are developments complete with no play facilities, such as Megson Way. CIL or commuted sums from Section 106 agreements may be the only means by which such historic shortfalls can be remedied. It would be iniquitous for new development to be seen to be given a different and higher priority in the provision of vital services by the local authorities.</p> <p>Historic shortfalls in open space provision should be identified and considered when the Council is spending CIL.</p>	<p>Shortfalls in all types of open space are noted in the Area Supply Reports. These reports set out the current shortfall for each type of open space, based on the relevant standard and are updated regularly.</p> <p>Section 6 of the SPD identifies the types of open space that would be delivered via CIL.</p>
OSSPD/12	Walkington Parish Council	n/a	Developers are to set up maintenance funds to support the new sites. This finance could be made available to the Parish Council if it is willing to accept the responsibility of care. The funds will cease to be available after 10 years and then the local parish council would be entirely responsible for meeting the costs from its parish precept. It is perhaps very unlikely that the Council would wish to be involved in the maintenance of local open spaces.	Noted.
OSSPD/13	Environment Agency	n/a	We're pleased to see that the document recognises the value that open space can provide in terms of natural flood risk management and biodiversity. Given that open space is taken to include rivers and is likely to include many areas adjacent to rivers, it is perhaps worth noting that any works or structures in, under, over or within 8m of a 'main' river may require a permit under the Environment Permitting (England and Wales) Regulations 2010 and that a permit is separate to and in addition to any planning permission granted.	Noted. Reference to the Environment Permitting Regulations (2010) has been included within the SPD.

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OSSPD/14	Bridlington Town Council	n/a	The Town Council would like to enquire if a cycle track could be included around playing pitches where possible as Yorkshire is now a recognised national area for cycling.	Noted. The provision of cycling facilities is considered through Policies EC4 and S8 of the Strategy Document. These policies encourage provision of sustainable travel options, including cycling facilities.
OSSPD/15	Cottingham Parish Council	n/a	No comments.	Noted.
OSSPD/16	Historic England	n/a	No comments.	Noted.
OSSPD/17	North Yorkshire County Council	n/a	No comments to make, other than to note that is it primarily focused on open space as part of a residential development, rather than 'open space' more generally.	Noted.
OSSPD/18	Sport England	n/a	<p>Plan-making must be based on adequate, up-to-date and relevant evidence. Local planning authorities should set out strategic policies to deliver the provision of health, security, community and cultural infrastructure and other local facilities.</p> <p>Paragraph 171 of the NPPF advises that local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation, and places of worship), including expected future changes and any information about relevant barriers to improving health and well-being. Paragraph 73 which states that planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.</p>	Noted. The national planning policy context for open space is set out in section 3 of the SPD.
OSSPD/19	Sport England	Section 4	East Riding's Playing Pitch Strategy was adopted in 2012, with the data that underpins it dating from 2011. As such Sport England considers that the Playing Pitch Strategy is out of date.	Noted. The Council maintains an up to date evidence base in relation to outdoor sports, in terms of supply, demand and the quality of pitches (full non technical pitch

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			<p>‘Up-to-date’ means prepared within the last 3 years for Playing Pitch Strategies. Changes to the Football Association’s requirements for the way junior and mini soccer are played are likely to have significantly changed the demand for (football) pitches during that period too.</p> <p>Reliance on standards of provision from an outdated evidence base will mean that the SPD’s provisions in respect of outdoor sport are likely to be open to challenge.</p> <p>Regrettably therefore Sport England wishes to object to the sections of the SPD that relate to outdoor sports facilities / playing pitches. Sport England would wish to see a public commitment to undertake a Playing Pitch Strategy (with a timetable and appropriate resourcing) and then review its Planning Obligations SPD in order for our objection to be addressed.</p>	<p>assessments). The action plans are updated on an ongoing basis based on engagement with clubs, teams and the governing bodies. This process ensures the Council responds to new evidence and changing circumstances.</p> <p>Work on a new Playing Pitch Strategy has commenced, starting with full non technical pitch quality assessments. The Council's timetable indicates a new strategy is likely to be adopted in 2017. Sport England are engaged in this work to ensure the new strategy reflects recent changes to Sport England's methodology for assessing needs for open space and opportunities for new provision</p> <p>The SPD has been amended, in consultation with Sport England, to clarify the position regarding the Council's evidence base and commitment to undertaking a new Playing Pitch Strategy.</p> <p>A separate teleconference took place between the Council and Sport England to clarify matters regarding the evidence base for open space and the Council's commitment to a new Playing Pitch Strategy. Subsequent correspondence from Sport England identified that they were supportive of the approach being taken by the Council and hence this objection has been withdrawn..</p>
OSSPD/20	Gladman Developments	n/a	Paragraph 154 of the NPPF states that supplementary planning documents should not be used to unnecessarily add to the financial burdens on development. The effective implementation of the SPD is dependent upon the accuracy and up-to-date nature of the open space database and the Council must make every effort to ensure that this data is regularly reviewed.	Noted (see previous comment).

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OSSPD/21	Gladman Developments	Section 6	Outdoor sports facilities/playing pitches could be delivered through CIL as they are strategic in nature and serve large catchments of residents. As there will be a number of settlements with numerous planning applications, the Council will be limiting themselves to 5 contributions per facility if this element is still dealt with by S106. If the Council were to cover these facilities through the CIL schedule, then this would allow them to identify specific projects where the monies would be spent and would avoid the issue of the limitation on pooled contributions.	Section 6 of the SPD sets out why the Council will deliver outdoor sports facilities through S106 obligations. Outdoor sports facilities should be provided on-site as part of specific developments and should meet the needs of people living in the development. The Council tracks and monitors the past and current use of S106 obligations to ensure contributions are not pooled.
OSSPD/22	Gladman Developments	n/a	1 bed units be included in para 7.5 as a type of development that would not be required to contribute to play area provision which is confirmed in table 6 later in the document.	The SPD has been amended as suggested.
OSSPD/23	Gladman Developments	Table 8	Support for the commitment given in table 8. Specifically that the requirement for open space contributions, where there is a deficiency identified in both Stages A and B and C, will be on an either/or basis rather than requiring contributions to both a quantity deficiency and quality deficiency.	Support noted and welcomed.
OSSPD/24	Gladman Developments	Paragraph 11.9	Support for para 11.9. (developers may wish to make their own arrangements for the future maintenance of open space). This is often the preferred option for developers through the establishment of a private management entity and this should remain available as an option through the SPD.	Support noted and welcomed.
OSSPD/25	Hull City Council	n/a	The document is clear and comprehensive and Hull City Council broadly supports it.	Support noted and welcomed.
OSSPD/26	Hull City Council	n/a	Support intention to integrate open space into the wider green infrastructure networks and recognition of the role open space can play in improving and enhancing biodiversity. Hull City Council hopes that this integration also links to green corridors and similar environmental infrastructure in adjacent	Noted. The SPD now makes reference to the possibility of green infrastructure extending beyond the local authority boundary.

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			authorities where appropriate and possible. Access to these spaces should be accessible to all residents and not be limited to those from any specific ward, parish or authority.	
OSSPD/27	Hull City Council	n/a	Support for the Yorkshire Wildlife Trust's Hull Green Arc project would be welcomed.	Noted. The SPD does not refer to specific open spaces, but is based on evidence contained within the Open Space Review (2012) and Playing Pitch Strategy (2012).
OSSPD/28	Hull City Council	n/a	The glossary mentions that the definition of open space includes areas of water, but this could have been made more explicit in the main body of the document. Linked to this could be mention of the provision of fishing platforms or boat launching facilities as appropriate enhancements in some cases. Birdwatching hides and screens could also be specifically mentioned as being suitable improvements in appropriate locations.	Ponds, rivers/canals/lakes/reservoirs are classed as a type of natural/semi-natural green space. Table 1 (different types of open space) of the SPD has been amended to clarify this. Fishing platforms, boat launching facilities and bird watching hides/screens are ancillary uses to open space and are not categorised in the Council's audit of open space.
OSSPD/29	Hull City Council	Paragraph 10.10	Support for paragraph 10.10 (identifies that play areas should be located where they are visible from residential dwellings). There are some areas where play areas are not overlooked, but by allowing a limited amount of residential development, this lack of overlooking could be addressed.	Noted.
OSSPD/30	Hull City Council	Appendix B	Hull City Council welcomes the recognition of the importance of the role of a Lead Local Flood Authority (LLFA). The LLFA should be part of the Core Group of the Open Space Working Group rather than just the wider group.	Noted. A representative from the LLFA will be invited to Group meetings when their specific input is required.
OSSPD/31	Hull City Council	Paragraph 10.19-10.23	The decision to prepare integrated design guidance for SuDS is welcomed.	Noted.
OSSPD/32	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum	n/a	Open Space Policy is an area within our statutory remit and we welcome the opportunity to respond to this consultation. The JLAF generally welcomes the development of a SPD and is supportive of the commitment to improve access to open spaces through the planning system.	Noted.

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	(JLAF).			
OSSPD/33	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum (JLAF).	Table 1	The description of green corridors should be broadened, to reference other public rights of way. Verges and public rights of way are not currently listed but they are also part of the green corridor network.	Table 1 of the SPD has been amended to reflect this comment.
OSSPD/34	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum (JLAF).	Paragraph 5.1	The Countryside Access Team manages significant natural and semi-natural green spaces but do not appear to be represented on the Open Space Working Group. An officer from the Countryside Access Team should be invited to sit on the Group.	A representative from the Countryside Access Team has been invited to meetings of the Group.
OSSPD/35	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum (JLAF).	Paragraph 6.10/Table 4	Green corridors are excluded from the scope of S106 obligations or CIL contributions. Whilst it is recognised that reasonable green corridor provision should be incorporated in line with policies ENV1 and ENV5, particular shortfalls in the quality or quantity of green corridors should also be delivered through mechanisms such as S106, and should therefore be within the scope of the SPD.	Noted. There is no specific quantity or quality standards for green corridors in Policy C3. Therefore, it is considered appropriate to promote the delivery of green corridors, where they are necessary, through the design of new development in line with policies ENV1 and ENV5 of the Strategy Document. This could include the location of different types of open space provided on site as part of a development.
OSSPD/36	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum (JLAF).	Paragraph 6.10/Table 4	S106 planning obligations should be utilised to deliver reasonable improvements to the public rights of way/green corridor network in accordance with the Rights of Way Improvement Plan (ROWIP).	Noted. S106 planning obligations can be used to improve public rights of way/green corridors if the improvements are necessary and directly related to a development proposal. This would be considered in accordance with policies ENV1 and ENV5 of the Strategy Document.
OSSPD/37	East Riding of Yorkshire and	Appendix C	The ROWIP is only briefly mentioned at Appendix C. A stronger reference should be made to the ROWIP within the main chapter	The ROWIP is now referenced within section 3 of the SPD.

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	Kingston upon Hull Joint Local Access Forum (JLAF).		of the Open Space SPD.	
OSSPD/38	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	Concern expressed regarding the complexity surrounding the calculation of open space and the realistic deliverability of this method. The complexity is due to the numerous stages that the process. There are potential knock on implications of any miscalculations resultant of incorrect data at any stage of the process.	<p>The SPD sets out the process for calculating open space requirements in accordance with Policy C3 of the Strategy Document. This is supported by online electronic tools (GIS mapping and open space calculator) to ensure applicants can calculate their own open space requirements and understand why a particular open space contribution has been requested. It will minimise the potential for open space requirements to be calculated incorrectly.</p> <p>The Council's Open Space Group carefully considers open space provision for each application over the threshold on a case by case basis. This process ensures the open space requirements will be correct and accurate.</p>
OSSPD/39	Barton Willmore (c/o Barratt & David Wilson Homes)	n/a	The ratio of housing to on-site open space provision is unrealistic in practice. Experience has demonstrated that the level of open space required under the SPD calculations is excessive and does not allow for the quantum of development to be delivered.	The SPD outlines the basis for calculating open space requirements in accordance with Policy C3 of the adopted Strategy Document.. It provides guidance to implement Policy C3. The open space standards are established in Policy C3 of the Strategy Document and have been found 'sound' through the Local Plan Examination in Public.
OSSPD/40	Barton Willmore (c/o Barratt & David Wilson Homes)	Paragraph 6.11	Open space should be directly related in scale to the impact which the proposed development will make. Planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives that are not necessary	Section 6 of the SPD sets out the specific tests controlling the use of S106 obligations and how Policy C3 meets these tests.

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			to allow consent to be given for a particular development.	
OSSPD/41	Barton Willmore (c/o Barratt & David Wilson Homes)	n/a	The Local Plan will not be delivered if the proportion of open space expected to be contributed is either occupying too much development space or the contribution leads to making developments unviable. The overall reduction in housing that will occur resultant from the lack of flexibility of the SPD criteria as it currently stands could impact the deliverability of the Local Plan and have severe consequences on meeting the Local Plans objectives such as the delivery of housing.	The SPD outlines the basis for calculating open space requirements in accordance with Policy C3 of the adopted Strategy Document. It provides guidance to implement Policy C3. The open space standards are established in Policy C3 of the Strategy Document and have been found 'sound' through the Local Plan Examination in Public. Section 3 of the SPD has been amended to make reference to the Local Plan Viability Assessment, which has taken into account the open space standards set out in Policy C3. Policy C1 is also referenced. This seeks developer contributions from new development, subject to economic viability.
OSSPD/42	Barton Willmore (c/o Barratt & David Wilson Homes)	n/a	<p>The Council must show transparency in relation to what will happen with the contributions provided by the developer. It should be easy to access a database detailing where certain contributions through S106 have contributed and to which infrastructure types/projects these have contributed towards. It should be clear where S106 contributions are being spent to stop Councils asking for more than 5 contributions to 2 pieces of infrastructure.</p> <p>A process such as this would allow for more accurate analysis of current need and necessary contribution for the Councils infrastructure projects. A transparent process would be help to achieve more accurate viability calculations that would help in leading to the delivery of more sustainable developments.</p>	<p>Noted. The Council already has system in place to track and monitor the past and current use of S106 obligations. This ensures contributions are not pooled.</p> <p>The Council has prepared online electronic tools (GIS mapping and open space calculator) to help applicants understand why a particular open space contribution has been requested. Guidance on how commuted sums will be spent by the Council is included within section 9 of the SPD.</p>
OSSPD/43	Barton Willmore (c/o Barratt & David Wilson)	Section 7 (paragraph	Paragraph 7.9 states when the description of an outline application details the number/mix of homes that will be acceptable, the council may require details of open space	Noted. The SPD has been amended to clarify that the Council's preferred approach is to deal with open space at full planning stage. The option is available for applicants

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	Homes)	7.9) Appendix E	provision to be determined at the outline stage. Flexibility is required. The number and mix of houses may change at reserved matters stage. This would impact on the open space required.	to agree open space at outline stage, but this is not mandatory.
OSSPD/44	Barton Willmore (c/o Barratt & David Wilson Homes)	Table 4	Objection to the delivery of churchyards through planning obligations.	Table 4 of the SPD and the supporting text notes cemeteries and churchyards will be delivered through CIL.
OSSPD/45	Barton Willmore (c/o Barratt & David Wilson Homes)	n/a	<p>Strong objection to the lack of regard for viability as clearly stated in paragraph 173 of the framework.</p> <p>The draft SPD creates a stringent criteria that threatens the deliverability of developments and the overall delivery of the Local Plan. The current lack of flexibility means that the document is not compliant with national policy. It is imperative the document reflects the Framework and relates to the viability and deliverability of development. In doing this, the SPD calculation must be adaptable to work on a development by development basis and not as a one fits all calculation.</p>	<p>Noted. Paragraph 173 of the NPPF requires Local Plans to be deliverable. Section 3 of the SPD has been amended to explain the relationship between paragraph 173 of the NPPF and the Local Plan Viability Assessment. This evidence, including the requirements set out in the NPPF, was considered through the Local Plan examination in public.</p> <p>The SPD does not set any additional criteria or policy. It provides additional guidance to assist applicants in the implementation of Policy C3 of the adopted Strategy Document. This policy specifies the type and quantity of open space that should be provided by new developments, which is reflected in the SPD.</p>
OSSPD/46	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	Support expressed for GIS programme. This must be a reliable and trustworthy source of information so that applicants are able to use the GIS programme effectively. Should it not be completely reliable then the knock on effects throughout developments could be very harmful. The electronic tools should be robust, usable and up-to-date as it is fundamental to the SPD and any calculation being made. Should the GIS programme not be available, the SPD become an unusable document.	<p>Noted. The Council maintains a database noting the supply, access and quality of all open space in the East Riding. This is monitored on an ongoing basis and is continually updated to ensure the accuracy of the data and the GIS mapping system.</p> <p>Open space provided as part of new development (or improvements made to the quality of existing open space) will be reflected in the Council's data to ensure each</p>

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				development provides open space in accordance with the latest up to date information.
OSSPD/47	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	The submission of information is time consuming and can result in delays to development. The continual exchanging of information before the applicants are able to determine open space requirements has created unnecessary delays in the application process, and in turn delayed the delivery of dwellings.	Noted. Online electronic tools have been prepared to ensure applicants can calculate their own open space requirements and understand why a particular open space contribution has been requested. These tools will help avoid any unnecessary delay in the determination of planning applications and facilitate a transparent process.
OSSPD/48	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	As developers have to rely on the Councils dataset it is important that the Council is gathering the best data possible. Data collection should be robust and account for changes throughout the plan period. The deliverability of development may be affected if the data becomes out of date.	Noted. The Council maintains a database noting the supply, access and quality of all open space in the East Riding. This is monitored on an ongoing basis and is continually updated to ensure the accuracy of the data and GIS mapping system.
OSSPD/49	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8 Paragraph 8.26	The draft SPD states 500sqm or more generally requires for a useable and useful play area. This is in essence trying to dictate the type of open space necessary without considering what is most appropriate on the merits of the scheme and location of a proposed development and in relation to existing open spaces. The proposed 500sqm needs to be flexible in relation to the type of development and this should be clear within the SPD.	Noted. The Council considers the open space requirements of each scheme on a case by case basis in line with Policy C3. This approach ensures only the types of open space necessary to meet Policy C3 are requested through the planning application process. 500sqm is not a policy threshold or criteria, it is included as guidance for applicants and reflects the size of a children's play area which can usefully be accommodated on-site.
OSSPD/50	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8 Paragraph 8.26	Calculating the amount of open space required needs to be flexible and adaptable to allow for viability and versatility on a case by case basis. The nature of developments can be of great scope and variety and therefore this is essential in the wording of the SPD.	Section 3 of the SPD has been amended to explain the Local Plan Viability Assessment undertaken and that this supports the standards within Policy C3. Section 3 of the SPD has been amended to make reference to the Local Plan Viability Assessment, which has taken into account the open space standards set out in Policy C3.

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				Policy C1 is also referenced. This seeks developer contributions from new development, subject to economic viability.
OSSPD/51	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 4 Paragraphs 4.2-4.7	The Open Space Review is used to assess the quantity of open space. This data will not account for any type of open space delivered since the production of the report, which could potentially result in the shortfall/surplus being inaccurate at the time of a planning application. Our Client would like acknowledgement within the SPD that the referred to data sources may not include data for recently provided or upgraded open space.	Noted. Section 4 has been amended to clarify that when a new open space is delivered the Council's open space database will be amended accordingly. It includes new open space provided as part of a development proposal or commuted sums that are used to provide new/improved open space. This process ensures new development provides open space in line with up to date information, including recently provided or upgraded open space.
OSSPD/52	Barton Willmore (c/o Barratt & David Wilson Homes)	n/a	It is important for there to be transparency on the Councils intentions and currently existing commitments to open space provision and upgrading so that this can be taken in to account when assessing viability of developments and also necessary contributions.	The Council's strategy for delivery of open space in the East Riding is set out in the Strategy Document. This is based on evidence included within the Playing Pitch Strategy (2012) and the Sport Play and Arts Strategy (2015-2020).
OSSPD/53	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 4 Paragraphs 4.2-4.7	Objection. The Open Space Review is out of date and not fully compliant with the Framework. The implications that this data has on proposed developments can cause miscalculations in determining the contributions of open space necessary. The relevant Area Supply Reports must be up to date or considered none compliant with the Framework.	<p>The Open Space Review (2012) provides the evidence for the open space standards set out in Policy C3 of the Strategy Document . It is not the mechanism by which the data is recorded.</p> <p>The Area Supply Reports determine the quantity, quantity and accessibility of open space. These reports are updated regularly to ensure each development provides open space in accordance with the latest up to date information.</p>
OSSPD/54	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	The calculation is complex and should be made more user friendly to ensure an accurate outcome. The complexity offers more opportunities for calculations to be incorrect and an even heavier reliance on the Councils database which is currently not	The SPD sets out the process for calculating open space requirements in accordance with Policy C3 of the Strategy Document. This is supported by online electronic tools (GIS mapping and open space calculator) to ensure applicants can calculate their own open space requirements

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			robust enough to deliver these calculations.	<p>and understand why a particular open space contribution has been requested. It will minimise the potential for open space requirements to be calculated incorrectly.</p> <p>The Council's Open Space Group carefully considers open space provision for each application over the threshold on a case by case basis. This process ensures the open space requirements will be correct and accurate.</p>
OSSPD/55	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	Support in principle for use of GIS mapping tool to determine whether there are quality shortfalls. The data used in the tools should be accurate and up to date in line with the framework.	Noted.
OSSPD/56	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 8	<p>Strong objection. The level of contributions, as stated by in the Planning Practice Guidance, should be informed by the particular circumstances of the site and proposed development in question. Assessing the viability of a particular site requires more detailed analysis than at plan level and the calculation cannot determine a piecemeal figure for any development in any location without consideration of many other factors. The SPD does not align with national policy guidance and it is considered that this should be a theme that runs throughout the document in order to make it compliant with national policy.</p> <p>An acknowledgement of how open space can impact upon viability should be included within the SPD. In addition the requirements of the SPD must allow flexibility for a reduced for a reduced level of open space where it is demonstrated that it is not viable to deliver the levels required within the SPD.</p>	<p>Section 3 of the SPD has been amended to make reference to the Local Plan Viability Assessment, which has taken into account the open space standards set out in Policy C3. Policy C1 is also referenced. This seeks developer contributions from new development, subject to economic viability.</p> <p>The SPD does not set any additional criteria or policy. It provides additional guidance to assist applicants in the implementation of Policy C3 of the adopted Strategy Document. This policy specifies the type and quantity of open space that should be provided by new developments, which is reflected in the SPD.</p>
OSSPD/57	Barton Willmore (c/o Barratt & David Wilson)	Section 7 Paragraph	Strong concerns expressed regarding the situation that arises when a large allocated site has multiple site owners. The open space provision over a larger site can create complexities when	Noted. Section 7 of the SPD sets out the guidance to ensure development proposals will deliver comprehensive development. This highlights that smaller sites, which are

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	Homes)	7.6-7.7	multiple land owners do not work together. The Council should acknowledge flexibility in negotiating the open space contribution is necessary. In such circumstances, each site should be considered on a case by case basis to allow for realistic and deliverable contributions.	part of wider allocation, will be required to provide open space.
OSSPD/58	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 9	It is thought that for the process of contributions to work most effectively, then the level of contribution should be clearly outlaid by the Council.	The SPD sets out the specific commuted sums the Council would request if required.
OSSPD/59	Barton Willmore (c/o Barratt & David Wilson Homes)	Section 9 Paragraph 9.11	CIL obligations should be directly related to the development. Paragraph 9.11 states that there are no locational restrictions on the spending of CIL. Objection. Commuted sums should go towards local open space requirements that are directly influenced by the proposed development.	Monies collected through CIL do not need to meet the same tests as those collected through S106 planning obligations. Section 6 of the SPD sets out the specific tests controlling the use of S106 obligations and how Policy C3 meets these tests.
OSSPD/60	Barton Willmore (c/o Barratt & David Wilson Homes)	Table 9/10	Objection. It is not clear how the figures within Tables 9 and 10 have been determined. We would expect to see much clearer explanations and evidence showing how these figures have. These figures should not be fixed as developments in high value and low value areas offer different returns to the developer and therefore these figures require flexibility in order for development to be delivered. These figures will result in development not being delivered in areas of lower value and will have a detrimental effect on the delivery of the Local Plan.	Noted. Further explanation regarding how the commuted sums have been determined is now included within the SPD. Policy C1 is now also referenced. This seeks developer contributions from new development, subject to economic viability.
OSSPD/61	Barton Willmore (c/o Barratt & David Wilson Homes)	Paragraph 10.4	Objection to wording of paragraph 10.4 (states that additional green space may also be required in order to achieve high quality design). This wording needs to set clear parameters as it is currently unclear as to what circumstances and situations this is	Noted. Additional information has been included within section 10 of the SPD to clarify the circumstances in which the Council would expect amenity green space to be provided.

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			<p>actually necessary or would be required. Further to this point, it should be noted that whilst open space is a consideration in planning development, it is not the lead driver in providing development and should not be required to such an extent that deliverability of development is hindered.</p>	
OSSPD/62	Barton Willmore (c/o Barratt & David Wilson Homes)	Table 12	<p>The figures are heavily reliant on what maintenance is actually necessary and should be judged on a case by case basis. It should be detailed as to what this maintenance cost will be spent on and should there be any surplus, how this will be refunded. We propose that these figures are not fixed and are dependent on what maintenance is required.</p>	<p>Noted. Further explanation regarding the spending of maintenance commuted sums has been added to section 11 of the SPD.</p> <p>The maintenance commuted sums only cover a ten year period. After the ten year maintenance period the Council absorbs the lifetime cost of funding the ongoing long term maintenance of an open space as part of its budget.</p>
OSSPD/63	Barton Willmore (c/o Barratt & David Wilson Homes)	Table 12	<p>Objection. The requirements and calculations set out in the SPD currently are too stringent and lack flexibility.</p> <p>They may hamper viable development as requirements are too high and therefore are not deliverable.</p> <p>The SPD needs to be more flexible to ensure that it takes into consideration individual and site-specific circumstances and development viability, to ensure that development is not prejudiced. It is suggested the Council include recognition that the calculations must be flexible and work on a development by development basis.</p>	<p>The SPD does not set any additional criteria or policy. It provides additional guidance to assist applicants in the implementation of Policy C3.</p> <p>Section 3 of the SPD has been amended to explain the Local Plan Viability Assessment undertaken and that this supports the standards within Policy C3. Policy C1 is also referenced. This seeks developer contributions from new development, subject to economic viability.</p> <p>The Council considers the open space requirements of each scheme on a case by case basis in line with Policy C3. This approach ensures only the types of open space necessary to meet Policy C3 are requested through the planning application process.</p>
OSSPD/64	Barton Willmore (c/o Barratt &	n/a	<p>It is of the upmost importance that any evidence base used to calculate contributions is kept up to date and regularly reviewed.</p>	<p>Noted. Section 4 has been amended to clarify that when a new open space is delivered the Council's open space</p>

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	David Wilson (Homes)			database will be amended accordingly. It includes new open space provided as part of a development proposal or commuted sums that are used to provide new/improved open space. This process ensures new development provides open space in line with up to date information, including recently provided or upgraded open space.