

**SCRUTINY PANELS  
CALL-IN REQUISITION**

We, the undersigned, require that the following decision of the  
Leadership Panel be called-in to the next meeting of DEVELOPMENT & ENVIRONMENT  
Standing Scrutiny Panel.

Date of Leadership Panel	26/10/10
Item No.	2 (2) (B)
Report Title	S.P.G. OPEN SPACES & DESIGNING NEW DEVELOPMENTS

Signature

Print Name

- (1) Member responsible  
for Call-in

*[Signature]*

PHILIP SUTTON

- (2) Members supporting Call-in (three required):-

(a) *[Signature]*

H. MOONIE

(b) *[Signature]*

S. GOLDIE

(c) *[Signature]*

IAN CAVANA

Date 27/10/10

### Reason

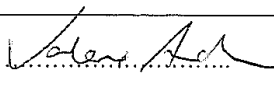
In order to improve information for Members, to assist Officers in briefing the Scrutiny Panel and to improve the quality of Scrutiny, we confirm that the item is being called-in for the following reason(s)

Members are reminded that the 'reasons' section should be completed with sufficient detail as to allow members of the Standing Scrutiny Panel and officers to appreciate the cause for concern prompting the Call-in. (This may be by reference to a part or parts of the Report or Decision or by describing an issue which may not have been adequately addressed or by requesting the provision of additional information which should be specified).

- ① Given that there is an admission within the S.P.C. that historical documents are out of date with timescales are envisioned for audit purposes on completion. (Page 4 SPC)
- ② With powers of enforcement remain with the council following the legal agreement between developer and house purchaser.
- ③ For further information / explanation relating to implementation of policy

### Note

Call-ins must be delivered to the Chief Executive no later than 4.00 p.m. on the Thursday immediately following the Tuesday on which the Leadership Panel has met.

Time Received 2.30 Date Received 28/10/10 Received by 

## DRAFT



### EXCERPT FROM THE MINUTES OF THE LEADERSHIP PANEL OF 26th OCTOBER 2010

#### **Supplementary Planning Guidance: Open space and designing new residential developments.**

There was submitted a report (issued) of 11th October 2010 by the Executive Director - Development and Environment

- (1) advising
  - (a) that the Council currently operated a Policy on Open Space, "Planning Policy No. 4 (PP No. 4): The Provision of Private and Public Open Space and Play Areas within New Residential Areas" which had been first adopted by the former Kyle and Carrick District Council in July 1976 and subsequently adopted and amended by South Ayrshire Council in 1996;
  - (b) that the Policy had undergone a series of updates in order to address various issues as they arose and that PP No. 4 was a material consideration in the assessment of planning applications which proposed new residential developments;
  - (c) that as part of a review of existing PP No. 4, it had become apparent that there were a number of difficulties associated with the Policy and that the lack of meaningful guidance in relation to the quality standards to be provided for open spaces within a development had proven to be problematic; and
  - (d) that the Scottish Government had recently published "Designing Streets: A Policy Statement for Scotland" which was the first policy statement in Scotland for street design and marked a change in the emphasis of guidance towards place-making and that Designing Streets was a material consideration in the assessment of applications which proposed residential developments;
- (2) reporting on the outcome of the public consultation process undertaken in respect of Supplementary Policy Guidance (SPG) on Open Space and Designing New Residential Developments;
- (3) seeking approval of the finalised SPG document which, if approved would replace existing non-statutory PP No. 4; and
- (4) outlining that all key agencies together with all organisations listed in the Development Plan Scheme consultation list, had been consulted on the draft SPG "Open Space and Designing New Residential Developments".

Questions were raised by Members of the Panel in relation to whether any further minor alterations could be included in the SPG document, procedures in place for the management and maintenance of open spaces, the provision by the developer of a landscape bond during the first year of the residential development and the management and maintenance thereafter and the relevant Officers responded accordingly.

**Decided:**

- (i) to approve the “Open Space and Designing New Residential Developments”, attached as Appendix A of the report, as a final document for publication, subject to satisfactory conclusion of the Strategic Environmental Assessment (SEA) Gateway consultation period, in accordance with the Council’s approved Protocol for Public Consultation on Supplementary Guidance and as a material consideration in the assessment of planning applications; and
- (ii) to agree that once concluded, any minor alterations suggested by the SEA Gateway consultation process be incorporated into the Open Space and Designing New Residential Developments SPG as outlined in Section 4.2 of the report.

## **SOUTH AYRSHIRE COUNCIL**

### **REPORT BY EXECUTIVE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT TO THE LEADERSHIP PANEL OF 26<sup>th</sup> October 2010**

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**SUBJECT: SUPPLEMENTARY PLANNING GUIDANCE: OPEN SPACE AND  
DESIGNING NEW RESIDENTIAL DEVELOPMENTS**

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#### **1. Purpose.**

- 1.1 The purpose of this Report is to advise Members of the outcome of the public consultation process undertaken in respect of Supplementary Policy Guidance (SPG) on Open Space and Designing New Residential Developments and also to seek Member approval of the finalised SPG document.
- 1.2 The Council currently operates a policy on open space; *Planning Policy No. 4(PP No.4): The Provision of Private and Public Open Space and Play Areas within New Residential Areas*. This policy was first adopted by the former Kyle and Carrick District Council in July 1976, adopted and amended by South Ayrshire Council in 1996, and gone through a series of updates in order to address various issues as they arose. PP No.4 is a material consideration in the assessment of planning applications which propose new residential developments. If approved the SPG will replace existing non-statutory *PPNo.4*.

#### **2. Recommendation.**

##### **2.1 It is recommended that the Panel:**

- i) **approves the “Open Space and Designing New Residential Developments”(Appendix A) as a final document for publication, subject to satisfactory conclusion of the Strategic Environmental Assessment (SEA) Gateway consultation period, in accordance with the Council’s approved Protocol for Public Consultation on Supplementary Guidance; and as a material consideration in the assessment of planning applications.**
- ii) **agrees that once concluded, any minor alterations suggested by the SEA Gateway consultation process be incorporated into the Open Space and Designing New Residential Developments SPG (see section 4.2)**

#### **3. Background.**

- 3.1 As part of a review of existing PPNo.4, it has become apparent that there are a number of difficulties associated with the policy. The lack of meaningful guidance in relation to the quality standards to be provided for open spaces within a development has proven to be problematic. The Scottish Government has recently published *Designing Streets: A Policy Statement for Scotland*. This is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance towards place-making. Designing Streets is a material consideration in the assessment of applications which propose residential developments; however it is hoped that, if approved, this SPG will supplement Designing Streets.
- 3.2 Members should also note that the purpose of the (finalised) policy note is to supplement the

policies of the adopted South Ayrshire Local Plan, and to provide a level of detail that will be used to guide open space considerations within new residential developments. In approving this SPG, the provisions of the adopted South Ayrshire Local Plan will not be altered.

- 3.3 Members will recall that a draft of the proposed new SPG was considered at the Leadership Panel on 19<sup>th</sup> May 2009, when it was agreed that the draft be approved for consultation. To reach the stage of producing the Finalised SPG, consultation was carried out with key agencies and all organisations listed in the Council's Development Plan Scheme consultation list, between July and August 2009.
- 3.4 Appendix B tabulates a summary of the issues raised in the consultation responses received, together with subsequent consideration of those issues and a recommended course of action relating to suggested amendments to the SPG.

#### **4. Consideration.**

- 4.1 Throughout the preparation of the SPG and subsequent consultation period, it has become apparent that although there is some dissatisfaction with the Council's existing policies regarding open space, there is general support for an appropriate level of guidance. As a consequence of the consultation process and the publication of Designing Streets, the SPG has been abbreviated and streamlined in accordance with the ethos of the new Scottish Planning System.
- 4.2 Under the terms of The Environmental Assessment (Scotland) Act 2005, it was determined that the draft SPG was likely to have significant effects on the environment and consequently a Strategic Environmental Assessment (SEA) was required to assess the environmental impacts of this document. An Environmental Report was produced, detailing the impacts of the draft SPG upon the environment. As the finalised SPG document has been abbreviated and streamlined, it was considered necessary to forward an updated version of the Environmental Report to the SEA Gateway. The Gateway co-ordinates consultation by liaising with Scotland's Consultation Authorities: Scottish Natural Heritage, Scottish Environmental Protection Agency and Historic Scotland and undertakes Scottish Ministers' functions under the Environmental Assessment (Scotland) Act 2005. At the time of writing, the SEA Gateway consultation period had yet to be concluded. However, with the Panel's agreement minor alterations suggested as a consequence of Gateway consultation process can be incorporated into the SPG.
- 4.3 The purpose of the SPG is to ensure that all new residential developments are developed from an understanding of the existing context of a site. In order to demonstrate an understanding of a site and to ensure that an appropriate design solution has been arrived at, applicants are encouraged to submit a design statement along with their application.
- 4.4 In terms of open space requirements, there are three different types of open space which may be required within new residential developments: amenity open space, formal play areas and residential greens. Although quantitative requirements have been set for each of these different types of open space, the overall emphasis within new residential areas will be upon wider design considerations.
- 4.5 Therefore the design of new residential areas should be guided by the aspiration of creating an appropriate residential setting while responding to the context of the existing and wider areas; and not simply by a requirement to meet numerical standards for open space. Where the Council considers that the design of a site is sub-standard and the open space requirements have not been achieved, the developer will be asked to reconsider their proposal in terms of both Designing Streets and the guidance laid out within the SPG.
- 4.6 The management and maintenance of open space has become an issue of some concern to the Council in recent years due to the financial implications where the Council has been

involved. High standards of maintenance should be applied to all open space within new residential developments and the Council works with developers to ensure that proper arrangements are in place for the long term management of any proposed open space. The SPG addresses this issue by ensuring that the developer submits details of management and maintenance arrangements as part of the planning application process. The developer requires to demonstrate to the Council that satisfactory arrangements have been put in place for the long term maintenance of all open space, such as through a legal agreement with house purchasers. In some circumstances, the Council may also require the developer to provide a landscape bond to ensure that newly formed landscaping will be maintained and kept thriving during the first year of the residential development.

- 4.7 The SPG also covers private open space requirements for residential properties. It is considered necessary to maintain stringent standards in relation to the rear gardens of dwellings, however a more flexible approach is being promoted within front garden by removing the depth specification. The layout of a residential development, including the siting of open space, should be dictated by sound design principles which will normally emerge as part of the process of producing a design statement.

## **5. Resource Implications.**

- 5.1 There are no resource implications arising directly from this report.

## **6. Results of Public Consultation.**

- 6.1 All key agencies along with all organisations listed in the Development Plan Scheme consultation list, were consulted on the draft Supplementary Policy Guidance (SPG) "Open Space and Designing New Residential Developments".

Four responses were received during the consultation period from Homes for Scotland, Sport Scotland and the Council's Building Standards and Housing departments. Appendix B provides a summary of the issues raised in those responses, together with subsequent consideration of those issues and a recommended course of action relating to suggested amendments to the SPG.

- 6.2 Accordingly, it is considered that the SPG has been subject to full consultation in line with the approved Protocol for Public Consultation on Supplementary Planning Guidance.
- 6.3 The Portfolio Carrier for Economic Development, Tourism and Leisure, Councillor Margaret Toner, has been consulted.

## **Background Papers.**

South Ayrshire Council Planning Policy Number 4 *The Provision of Private and Public Open Space and Play Areas within New Residential Areas* (1976),  
Protocol for Public Consultation on Supplementary Planning Guidance,  
*Designing Streets: A Policy Statement for Scotland* (2010)  
Report by the Depute Chief Executive and Executive Director of Development and Environment to the leadership Panel of 19<sup>th</sup> May 2009, entitled "Supplementary Planning Guidance: Open Space and Designing New Residential Development".

## **Person to Contact.**

David Clark, Planning Officer, Development Planning and Customers Team, Planning and Enterprise Service, Fifth Floor, Burns House, Ayr (01292) 616118

**Date.** October 11<sup>th</sup> 2010

## Open Space and Designing New Residential Developments



South Ayrshire Planning Service:  
Building a Performance  
and  
Customer Culture



**Supplementary Planning Guidance:  
Open Space and Designing New  
Residential Developments**

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## Introduction

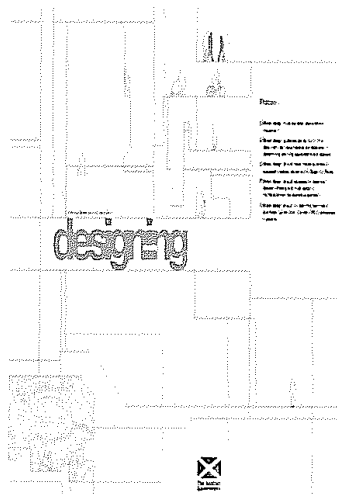
### Introduction

The provision and treatment of outdoor open space, whether public or private is vital in achieving a successful and attractive environment and quality of life and is as much part of the design of a new residential development as the buildings and roads. It is essential that developers give considerable thought as to where open spaces would be best located within a new development, what function they will have and what activities they will facilitate, from the outset of the design process.

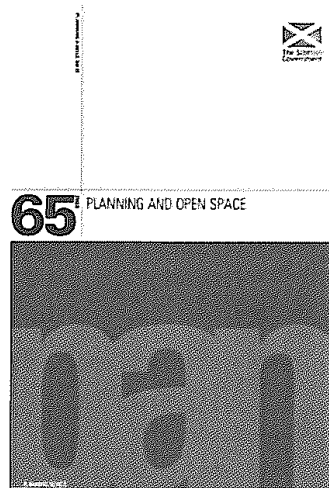
In recognising the importance of the design process, the Scottish Government has produced *Designing Streets: A Policy Statement for Scotland*. *Designing Streets* is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. The Council therefore expect all planning applications for residential development to confirm with the policy principles of *Designing Streets*; and open space provision must be considered as part of the overall design and layout of new residential development.

As a means of ensuring the Council performs its duties as Local Planning Authority, this SPG should complement the framework set out by *Designing Streets*, Scottish Planning Policy (SPP) and government Planning Advice Notes (PANs). This will ensure that open space, within residential development, is provided at suitable standards of quality and quantity.

Both SPP and PAN 65: *Planning and Open Space* require local authorities to conduct detailed audits of all their open spaces and prepare an open space strategy, in order to guide policy and determine planning applications. The Council's *Parks and Public Open Spaces, Recreation & Landscape Strategy* (2001) and the *Analysis of Council Maintained Open Space within Main Urban Areas of Ayr, Prestwick, Troon, Girvan and Maybole* (2001) were both considered in preparing this SPG. While there is recognition that these documents are not up-to-date as advocated by both SPP and PAN65, the SPG builds in a certain amount of flexibility to account for areas where there may be less of a requirement to provide on-site open space or open space facilities such as the character of the local area may dictate. The Council is currently undertaking a review of its open space audit and until such time that the audit is completed, the historic quantitative standards (derived from the Council's Planning Policy No. 4: *The Provision of Private and Public Open Space and Play Area within New Residential Areas* - PPNo.4) will remain. Once completed, the SPG can be amended to reflect the findings of the up-to-date audit.



## Introduction



nature of the surrounding area) the Council requires to be satisfied as to why this is the case.

This SPG has been drafted in conjunction with the Council's Parks and Landscape Strategy Officer who is responsible for the management of the Council's owned public open space. Their advice will continue to be sought regarding the need for open spaces and facilities relating to new housing development.

It is important to stress that the purpose of this SPG is not simply to continue the standards as set out in PPNo.4. PPNo.4 standards were based on quantitative standards; and while the SPG does have a quantitative element, the SPG intends to drive the quality of open space and be responsive to quality residential developments with quality environments. The SPG seeks to achieve this by encouraging planning applications for residential development to be supported by a design statement (see below) which demonstrates the quality of the development as being justification for approval as opposed to minimum open space standards being met.

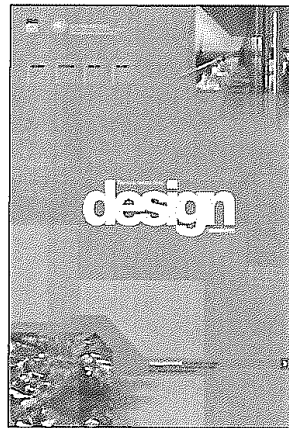
However in developing the SPG, dropping quantitative standards altogether was not the Council's favoured option as numerical standards are useful in resisting poor quality residential developments at overdeveloped sites which do not fit with their surroundings. It is important to have ample areas of public open space to ensure that there are opportunities for recreation and that developments are not overly dominated by roads and buildings. In circumstances where the minimum open space quantities are unachievable or unnecessary (due to the

## How to arrive at a meaningful design solution

### How to arrive at a meaningful design solution?

The Council considers that the most effective method of demonstrating that open space provision has been considered as part of the overall design of a new residential development is through the submission of a design statement. PAN68: *Design Statements* recognises that a competent design statement will help demonstrate the factors that have been taken into account in preparing the layout and design of a development.

The Council therefore expects planning applications for residential development to be accompanied by a design statement which has been prepared in accordance with PAN68 and demonstrates that the 5 stages in the design process (as detailed in Pan 58) have been met.



a number of reasons; it provides opportunities for physical recreation, it can have mental health benefits, it can support healthier lifestyles, and it can support habitats and provide opportunities for biodiversity.

Public open space should not be provided on spaces left over after the planning process has been concluded i.e. areas of land left over after the location of roads and buildings have been determined. This has been the case too often in the past and can lead to unusable or undesirable areas of public open space without any purpose.

Much of the emphasis in the past, in terms of open space within new residential areas, was placed upon achieving the necessary quantity of open space. A variety of different methods have been adopted to calculate these requirements such as open space dependent upon the volume of people living within a new development or open space dependent upon the number of units within a new development.

This has lead to undesirable areas of open space with no clear function as it has often become the case that providing open space within new residential areas is simply a case of meeting the required numbers.

### Public Open Space and New Residential Areas

Public open space within new residential developments should be incorporated within the overall design of the development and should be one of the central themes in providing a design solution for new sites from the outset. Public open space is valuable for

## Key attributes of successful areas of open space

### Key Attributes of Successful Areas of Open Space

There are some attributes which successful areas of public open space have in common; they are in the right place, readily accessible, safe, inclusive, welcoming, well maintained, well managed and performing an identified function. It is expected that every effort should be made to include these guiding principles within all new developments. Table 1 outlines each of these attributes in greater detail.

Table 1

#### Accessible

Open space should be located at the most accessible part of a new site, avoiding any potential conflict with busy roads. They should be linked in to local paths and should have well placed entry points to encourage safe access. Where multiple areas of open space are proposed within new developments, these should be distributed evenly throughout the site. However, the Council also welcome larger areas of open space within new residential areas which consolidate the open space requirements and which can accommodate a wider range of uses. These types of spaces are also more convenient from a maintenance perspective and for creating focal points for new communities.

#### Safe and Welcoming

Open space should be safe. This can be achieved by locating the spaces in areas which are overlooked by housing in order to provide natural surveillance and by ensuring that developments do not turn their backs on areas of public open space. Safety can also be achieved by ensuring that open space is properly lit and that there are no hidden areas within which people can feel more vulnerable. Access to open space should avoid having to cross any major hazards such as rail lines, major roads, waterways etc.

Spaces should be welcoming to encourage people to use them. This can be achieved by ensuring that the spaces are well signposted, encompass some soft landscaping features, contain high quality materials and have well maintained boundaries with an attractive appearance.

#### Maintenance

The management and maintenance of open space has become a crucial issue for the Council. Developers should ensure that open space is maintained through a factoring or management regime at no cost to the Council. The burden must not be passed onto future residents of a site through the inclusion of open space within property deeds. In all cases the factoring arrangements must be submitted and agreed as part of the planning application and must be to the full satisfaction of the Council.

It is recommended that details of the maintenance arrangements be included with planning applications as an integral part of the landscape/open space proposals. In some circumstances, the Council may require the developer to provide a landscape bond to ensure that newly installed landscaping will be maintained and kept thriving during the first year of the residential development.

#### Identified function

The quality of an area of open space will be dependent upon the function that the area is intended to facilitate and the ability of the area to fulfil that function. This should be clearly established upon the submission of any planning application which proposes areas of public open space. A document, published in 2008 by Greenspace Scotland, entitled *Greenspace Quality – a guide to assessment, planning and strategic development* provides some useful guidance in terms of measuring and assessing the quality of open space.

## Types of public open space within new residential developments

### Types of Public Open Space within new Residential Developments

New residential developments should contain three types of open space:

- residential greens;
- formal play areas; and
- amenity areas

The standards set out within this section will be applicable to all new housing developments of 6 or more units.

#### Residential greens

Although there will be occasions where formal sports pitches may be required, it is anticipated that residential greens will be the most common type of public open space. These greens should be able to facilitate a range of informal activities including kickabouts and semi-organised games. In order to protect the amenity of all properties within the vicinity, these areas should be located at reasonable distances away from the nearest properties. This should be established at the outset of the design process.

Larger areas of open space for outdoor sport will be required for larger developments. In some instances this may include formal sports pitches dependent upon existing provisions within the area and the scale of the proposed development. In such instances it may be beneficial to provide larger, consolidated areas of open space as opposed to smaller pockets scattered throughout a development. This can help to make the open space more functional, usable and capable of accommodating a wider range of activities.

**Residential greens should be provided at a ratio of 1 hectare per 1000 population.**

## Types of public open space within new residential developments

### Formal play areas

The most important consideration when providing play areas within new residential developments is the safety of the end user. Play areas should be in accessible locations, ensuring that they can be accessed by avoiding any potentially dangerous hazards, they should be well lit and overlooked by surrounding properties, providing natural surveillance. Play areas should not be hidden away in backland areas and should not be overlooked by the gable ends of surrounding properties where the gable end has no windows. However, they should be located far enough away from housing boundaries to ensure that they do not cause any noise nuisance to residents of nearby properties.

Play areas should be large enough to accommodate a range of semi-organised games as well as incorporating appropriate play equipment for various age groups. The play equipment to be included within specific sites should be in full agreement with the Council's Parks and Landscape Strategy Officer.

Children's play areas are required to cater for a range of different age groups. For the purposes of this guidance they will be split into two groups; toddlers and children/teenagers. Toddlers' play areas require only a limited amount of equipment, are generally smaller areas and will be more localised. Play areas for children/teenagers require more challenging equipment, larger areas and can be located further away from the houses which they are intended to serve. However, in all cases every effort should be made to locate these areas within the application site.



The Council accepts that there will be circumstances where it would be impractical or unnecessary to provide play areas within new residential developments. Where such circumstances arise, developers will be required to provide a commuted sum in proportion to the size of the proposed development in order to contribute towards the upgrading of play facilities within the nearby area. This ensures that all new housing developments are contributing towards the play area needs generated by their development. The commuted sum will be required to be agreed with the Council's Parks and Landscape Strategy Officer and received by the Council prior to the issuing of any planning consent. The commuted payment calculations will be based on the standard costs for equipment, which have been developed from current rates of tendered contracts by the Council. These figures are reviewed regularly to take account of changing circumstances in relation to costs.

Sensitive landscaping treatment can be used to make play areas more attractive and welcoming. Appropriate species should be agreed in conjunction with the Council's Parks and Landscape Strategy Officer and approved as part of the accompanying planning application.



## Types of public open space within new residential developments

**In developments of 15 or more dwellings, formal play areas should be provided at a ratio of 0.2 hectares per 1000 population**

### Amenity Areas

Open space can be used to provide visual benefits to new residential areas. This type of open space is known as amenity open space. This can include structural planting, highway verges and landscaped areas for the purposes of making developments more welcoming and pleasant places to live and visit. They should be attractive and, as with all areas of open space, should be an integral part of the overall layout of residential schemes. Play areas should not take away from the requirement to provide amenity areas of open space.

Amenity areas will require to be provided within all new residential developments. The extent of amenity areas will be dependent upon the size of the development.

Amenity open space also presents opportunities to maximise biodiversity. Amenity open space can be landscaped and maintained not only to preserve the existing flora and fauna of the area but to enhance each, and so enrich the area for residents and visitors alike.

**Amenity areas of open space should be provided at a ratio of 0.4 hectares per 1000 population.**

strategic housing sites) the Council may ask for a sports pitch to be provided as part of a new development, over and above the open space requirements.

Playing fields are an important resource for sport and should be provided in sufficient quantity, quality and accessibility to satisfy current and likely future community demand. Local authorities are expected to develop a playing fields strategy as part of the wider open space strategy. As mentioned previously, the Council are currently undertaking a review of their open space audit and once completed the SPG can be amended to reflect the findings of the up-to-date audit.

Where such a need is identified by the Council, this should be progressed as part of the planning application process and will normally be set out within the development plan.

### Playing fields

In some instances, where a need has been identified for new outdoor sports or recreation facilities in an area, (particularly in relation to

## Private open space

### Private Open Space

Private open space is generally split up into two areas; front gardens and rear gardens. The rear garden, in general, is a more private area within which some outdoor domestic activities can be accommodated. The front garden is generally a more open area which often contains paths and off street parking. Due to the different functions of these areas the Council considers that there should be different requirements in terms of the amount of open space within the two areas.

It is recognised that the extent of private open space within new residential developments can often be dictated by the design and layout of the development. The primary consideration in developing new residential areas will be the overall design quality of the proposed development, including how it complements the established character and amenity of the existing surrounding area. Design statements will have a key role to play in this respect.

### Rear gardens

Rear gardens are particularly important private areas of open space. For this reason the Council will seek to ensure that in most circumstances the amount of open space within rear gardens meets the requirements outlined below. The purpose of this is to ensure that people have the opportunity to enjoy everyday outdoor domestic activities within the privacy of their own garden.

Detached, semi-detached and terraced properties should be provided with rear gardens in proportion to their size. Rear gardens will be expected to be a minimum of 1½ times the size of the ground floor area for detached and semi-detached dwellings and no less than 100m². This will generally include rear and side dwellinghouse gardens enclosed by fence/wall/hedge. For terraced dwellings the same rule will apply whereby the ratio provided should be 1.5 times the ground floor area of the property with a minimum area of 70m².

### Front gardens

Front gardens are fundamentally different to rear gardens and therefore require to be treated differently. Within new residential areas front gardens can vary in size. The Council considers that the most important issue should be the quality of the overall development in terms of its design and layout.

Developments which use varying sizes of front gardens and staggered houses, in terms of their positioning and siting, can often create interesting streetscapes. Houses facing each other, which are closer together due to smaller front gardens and smaller roads, can help to provide developments with a sense of enclosure thereby slowing traffic down and giving ownership of the street to pedestrians. However, it is important to ensure that people's privacy is not adversely affected by fronting habitable rooms directly onto opposing habitable rooms where the houses are within close proximity of each other.

To avoid the creation of monotonous streetscapes the Council does not consider that it is necessary to provide minimum standards for front gardens. The size of front gardens should be dictated by the overall design principles of a new development.

Within front gardens the house should remain the dominant feature and should not be negatively impinged upon by the development of oversized garages or car parking arrangements. In particular garages should not extend beyond the building line of the individual plot. The only occasion where the building line should be breached is where a garage is physically connected to a house e.g. L-shaped configured houses.

## Amenity and Privacy

### Amenity and Privacy

#### Minimum Distances

The Council seeks to ensure that the amenity and privacy of all houses are protected. As such there has to be a minimum distance between the side elevation of houses. This is also required for the purposes of off street car parking. The minimum distance between houses shall be 4 metres. However, where a better streetscape can be created with reduced separation distances between houses this will be considered. The key consideration in this respect is the value added to the new development as a result of reduced separation distances between houses.

A minimum garden depth of 9 metres shall be required. This distance may be relaxed in the case of corner plots and on plots, with two or more frontages onto roads, subject to the minimum areas being satisfactorily provided. A minimum of 18 metres between habitable windows (including kitchens) shall be provided. This may have to be increased in certain circumstances, for example where a new development is backing onto an existing residential area or where the new development is greater than 2 storeys in height.

## Flatted developments

### Flatted Developments

The nature of open space within flatted developments is clearly different from that of detached, semi-detached and terraced units. It will normally be communal areas of space shared by everyone living in the particular block. While the quality of design and layout will largely dictate flatted developments, the Council considers it necessary to provide benchmark standards which will act as a guide. In all instances new flatted developments should display the qualities outlined within tables 1 and 2 of this document.

Open space within flatted developments should be in the form of residential greens which can accommodate informal outdoor play activities and amenity spaces which provide primarily a visual benefit. The method used to calculate open space requirements within flatted developments does not differentiate between the two types of open space (amenity and residential greens) in terms of how much space should be allocated to each of the types of open space. It is considered that open space within flatted developments does not function in the same way as open space associated with detached, semi-detached and terraced units. It is at the discretion of the developer in terms of how open space is divided up within flatted developments.

The quantitative standards for open space within flatted developments will be calculated using the following:

<b>Open space/unit</b>	
<b>50m<sup>2</sup>/unit</b>	
<b>No. Of units</b>	<b>20</b>
<b>Calculation: (20x50) = 1000m<sup>2</sup></b>	

Flatted developments will also be required to provide a play contribution either onsite or by upgrading existing provisions within the nearby surrounding area. Whether the play areas are provided onsite or take the form a

financial contribution will be dependent upon the size of the development. In general, flatted developments of less than 15 units will not be required to provide play areas onsite.

**Where an equipped play area is to be provided onsite the area required will be at a ratio of 0.2 hectares per 1000 population.**

In relation to flatted development, there may be instances whereby a financial contribution is sought in lieu of a contribution for upgrading nearby play equipment. The commuted sum will be required to be agreed with the Council's Parks and Landscape Strategy Officer and received by the Council prior to the issuing of any planning consent. The commuted payment calculations will be based on the standard costs for equipment, which have been developed from current rates of tendered contracts by the Council. These figures are reviewed regularly to take account of changing circumstances in relation to costs.

### Functional areas within flatted developments

Flatted developments will usually require external bin storage areas, drying areas and cycle shelters. Where these areas are to be provided they will be required over and above the normal open space requirements.

## Infill developments and open space

### Infill developments and open space

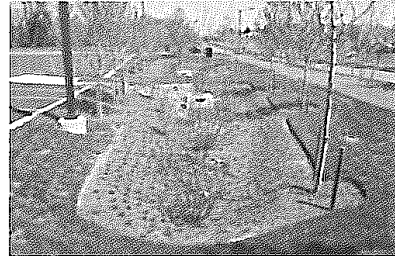
Infill developments can have a number of benefits both for the immediate areas in which they are found and in terms of the wider sustainability agenda. Infill developments normally take place within existing urban areas which reduces the need to identify new residential sites on greenfield land; they utilise existing public infrastructure such as roads, water and drainage and they can help to regenerate areas suffering from poor environmental quality.

Open space requirements within infill developments will be the same as those for new residential areas. However, the Council recognises that there may be circumstances where higher or lower open space standards may be necessary when taking into account the established character and amenity of the existing surrounding area. In all cases one of the key considerations will be the ratio of built form to open space. This should be reflective of the existing surrounding area unless overriding design considerations indicate otherwise.

In all circumstances the quality of the open space and the overall design principles of the site, including how it complements the established character and amenity of the existing surrounding area will be considered to be of prime importance. A design statement will be a key tool in this respect.

### Sustainable Urban Drainage Systems and Open Space

SUDS are now an integral part of almost every new residential development. The Scottish Environmental Protection Agency and Scottish Water are in favour of SUDS within most new developments. SUDS can be designed in a number of different ways. The type of SUDS to be included within a development will determine whether or not it will be able to contribute towards the site's open space requirements. Any SUDS contributing towards open space requirements must be appropriately designed, fit for purpose and should not be fenced off.



PAN 61 states that SUDS may contribute to satisfying a site's open space requirements. The Council considers that there may be circumstances under which this may be acceptable. However, this will be primarily dependent upon health and safety issues, how often the SUDS are predicted to retain water and how high the water levels will be. In all circumstances the Council will consider the welfare of future residents as being of paramount importance and will seek assurances from the developer in this respect.

New areas of open space can often support a range of different plant species, depending upon the type and function of the open space. Where appropriate, new developments should give consideration to the biodiversity value of the site and should seek to capitalise upon opportunities for the creation of natural habitats. Schemes which incorporate Sustainable Urban Drainage Systems provide good opportunities in this regard.

## Applicant's checklist

### Applicant's Checklist

Prior to submitting a planning application for residential development it is considered appropriate to utilise the checklist provided below and to ensure that all of the points raised have been comprehensively addressed within the proposal. In certain circumstances the Council may ask for information showing how each of points raised within the checklist have been addressed.

- How do all areas of open space within the site benefit from natural surveillance? (Natural surveillance is a design concept directed primarily to maximise visibility and foster positive social interaction)
- Why have the areas selected for open space/play been chosen and how does that help to facilitate the function of the open space?
- How has the safety of the end user been taken into consideration in terms of the location of play areas and in the development as a whole?

### Calculating Open Space Provision

#### Residential greens

Areas for outdoor sports, including residential greens require to be calculated at 1 hectare per 1000 population. This will be based upon the average household size within South Ayrshire at the last census. Residential greens will be required in developments of ten or more units. An example of how this would be calculated is provided below:

#### Example

Development of 50 units:

- 1 ha per 1000 pop. (10m<sup>2</sup> per person).
- Average size of South Ayrshire household = 2.27 per household (2001 census)
- Number of units proposed = 50
- Calculation:
- $2.27 \times 50 = 113.5 \times 10\text{m}^2 = 1135\text{m}^2$

### Formal play areas

The benchmark figure for children's play areas is set at 0.2 hectares per 1000 population in developments of 15 dwellings or more. There are different types of play areas containing different equipment which are suitable for children of different age groups. Developments should provide a mix of both toddlers' play areas and play areas for children and teenagers.

The type of equipment to be included within each of these different types of play areas should be in full agreement with the Council Parks and Landscape Strategy Officer.

Formal play areas will be required in developments of 15 units or more. For developments of between 5 and 15 units applicants will be required to provide a play contribution in order to contribute towards the play area needs generated by the development. The contribution will be worked out on a per unit basis. Applicants will be required to submit their play area contribution fee prior to the issuing of any planning consent.

An example of how to calculate the amount of open space required for play space is provided below:

Development of 50 units:

- 0.2 ha per 1000 pop. (2m<sup>2</sup> per person).
- Average size of South Ayrshire household = 2.27 per household (2001 census)
- Number of units proposed = 50
- Calculation:
- $2.27 \times 50 = 113.5 \times 2\text{m}^2 = 227\text{m}^2$

### Amenity Areas

A minimum area of 0.4 hectares of amenity open space should be provided per 1000 population. At 2.27 persons per household (2001 Census average for South Ayrshire) this would result in 454 sq m per 50 dwellings with individual areas being not less than 100sqm.

## Applicant's checklist

Amenity areas of open space will be provided in all developments of 10 units or more. However, it is accepted that there may be circumstances where smaller developments would benefit from amenity areas of open space. Pre-application discussion with the Planning Authority will be essential in this regard.

An example of how to calculate the provisions for amenity open space is provided below.

### Example:

Development of 50 units:

- 0.4 ha per 1000 pop. (4m<sup>2</sup> per person).
- Average size of South Ayrshire household = 2.27 per household (2001 census)
- Number of units proposed = 50
- Calculation:
- $2.27 \times 50 = 113.5 \times 4\text{m}^2 = 454\text{m}^2$

## APPENDIX B

### Summary of consultation responses received, subsequent considerations and recommended course of action

Four responses were received during the consultation period from Homes for Scotland, Sport Scotland and the Council's Building Standards and Housing departments. The table below summaries the issues raised in the responses, together with subsequent consideration of those issues and a recommended course of action relating to suggested amendments to the SPG.

COMMENTS	CONSIDERATION	RECOMMENDED COURSE OF ACTION
➤ Lack of guidance relating to sports pitches	While the document does state the Council may ask for a sports pitch to be provided as part of a new development, over and above the open space requirements, it is acknowledged that greater clarity on this matter could be provided.	A section has been added to the SPG which recognises that the Council requires to develop a Sports Pitch strategy. Once the Council has developed this Strategy, the SPG can be amended to reflect the Council's strategic vision regarding playing fields.
➤ It would be useful to have confirmation on whether or not the area used for SUDS facilities counts towards open space. Also, should SUDS be integrated into public open space then safety and maintenance issues need to be fully considered.	The Council considers that there may be circumstances under which this may be acceptable. However, this will be primarily dependent upon health and safety issues, how often the SUDS are predicted to retain water and how high the water levels will be. In all circumstances the Council will consider the welfare of future residents as being of paramount importance and will seek assurances from the developer in this respect.	No action required.
➤ The design of the affordable housing element should integrate with residential development schemes.	Agreed. The Council expects all planning applications for residential development to confirm with the policy principles of Designing Streets. Therefore, all residential development should focus on place-making and not be focused upon the dominance of motor vehicles.	Reference is now made within document which states the document acknowledges the role that Designing Streets has to play in designing successful residential development.
➤ The emphasis of quality open space over quantity is welcomed.	The purpose of this Supplementary Planning Guidance (SPG) is therefore to give clearer guidance to prospective developers on the requirements for open space. While the SPG does provide quantitative open space standards, more emphasis will be placed on the creation of successful places through good design.	No Action required.



➤ The document does not make reference to National policy or advice notes	Noted: however, National Policy was considered in preparing the draft SPG.	Document has been amended to make reference to National Policy and Guidance.
➤ The SPG does not appear to be founded on any audit-based evidence.	The Council's <i>Parks and Public Opens Spaces, Recreation &amp; Landscape Strategy</i> (2001) and the <i>Analysis of Council Maintained Open Space within Main Urban Areas of Ayr, Prestwick, Troon, Girvan and Maybole</i> (2001) were both considered in preparing this SPG. However, it is acknowledged that these documents were not referenced in the draft SPG.	A section has been added to the SPG which recognises that the audit and strategy are not up-to-date as advocated by both SPP and PAN65. However, the SPG builds in a certain amount of flexibility to account for areas where there may be less of a requirement to provide on-site open space or open space facilities such as the character of the local area may dictate. The Council are currently undertaking a review of their open space audit and until such time that the audit is completed, the historic quantitative standards (derived from the Council's Planning Policy No. 4: The Provision of Private and Public Open Space and Play Area within New Residential Area-PPNo.4) will remain. Once completed, the SPG can be amended to reflect the findings of the up-to-date audit.
➤ Greater clarity around issues of landscape bonds	Agreed.	A section has been added to the SPG which states that a landscaping bond may be required to ensure that newly installed landscaping will be maintained and kept thriving during the first year of the residential development.
➤ Greater clarity around issues of commuted sums	While details of commuted sums were included in the draft SPG, it is acknowledged that greater clarity on this matter would be beneficial.	A section has been added to the SPG which states that commuted payment calculations will be based on the standard costs for equipment, which have been developed from current rates of tendered contracts by the Council. These figures are reviewed regularly to take account of changing circumstances in relation to costs.
➤ In terms of design, the SPG repeats what is already available in other	Agreed.	This design criterion has been removed from the SPG and replaced with references to National Policy.

government policy and guidance.		
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