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| <b>Subject:</b>           | Developer Contributions for Open Space  |
| <b>Date:</b>              | 7 <sup>th</sup> February 2023   |
| <b>Reporting Officer:</b> | David Sales, Director of Neighbourhood Services, City & Neighbourhood Services Department           |
| <b>Contact Officer:</b>   | Stephen Leonard Neighbourhood Services Manager, / Gary McNeill, Senior Landscape & Planning Officer |

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| <b>Restricted Reports</b>                                |   |
| <b>Is this report restricted?</b>                        | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <b>If Yes, when will the report become unrestricted?</b> |   |
| <b>After Committee Decision</b>                          | <input type="checkbox"/>  |
| <b>After Council Decision</b>                            | <input type="checkbox"/>  |
| <b>Some time in the future</b>                           | <input type="checkbox"/>  |
| <b>Never</b>   | <input type="checkbox"/>  |

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| <b>Call-in</b>                               |   |
| <b>Is the decision eligible for Call-in?</b> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| <b>1.0</b> | <b>Purpose of Report or Summary of Main Issues</b>   |
| 1.1        | The purpose of this report is to update members regarding three developer contributions that have been secured, via the Developers Contribution Framework, for council maintained open space and the proposed improvements that City & Neighbourhood Services Department plan to deliver as a result of the financial contributions. |
| 1.2        | Details of proposed improvements at each park are outlined in Section 3.9 (Main Report).   |
| <b>2.0</b> | <b>Recommendations</b>   |
| 2.1        | The Committee is asked to: <ul style="list-style-type: none"><li>Note the developer contributions for open space received to date and agree to recommend to SP&amp;R committee the proposed improvement works at Knocknagoney, Tullycarnet and Belmont Parks outlined in Section 3.7 of this report.</li></ul>                       |

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| <b>3.0</b> | <b>Main Report</b>   |
| 3.1        | As members will be aware Council's Developer Contributions Framework was ratified for adoption by Full Council on 6th January 2020. Developer Contributions are a planning tool used to mitigate or manage the impacts of new development. They may be used to ensure that new development is supported by the right infrastructure or make sure that the environmental impacts of proposals are appropriately managed. The Council's Developer Contribution Framework sets out the council's approach to securing Developer Contributions as part of the planning application process.  |
| 3.2        | Policy OS 2 of Planning Policy Statement 8 requires open space to be an integral part of new residential development of 25 units or more, or on sites of one hectare or more. In smaller residential schemes, the need to provide open space will be considered on its individual merits. Exceptions to this policy requirement include apartment developments or specialised housing where a reasonable level of private communal open space is being provided; or where residential development is designed to integrate with and make use of adjoining open space. Policy OS 2 goes on to specify the proportion of a site that needs to be set aside for open space and the requirement for equipped children's play area on larger sites. |
| 3.3        | In some cases, as an exception to the normal policy approach, the council may consider it more appropriate for residents of the new development to make use of existing or planned open space in the locality rather than require new open space to be provided on-site as an integral part of the development. When assessing this option, account will be taken of any specific reasons why open space cannot be provided on site, the scale and nature of the proposed development, existing and planned open space in the area, accessibility and connectivity to the open space, and its ability to support residents of the new development.   |
| 3.4        | It may be necessary for the developer to enhance the existing or planned open space so that it is able to support the additional population and/or improve the site's connectivity to it. In such circumstances, the developer will be required to pay a Commuted Sum to cover the cost in lieu of providing the open space on the site. This will include the cost of improvements to an existing facility where there would normally be a policy requirement to provide this on site. The value of the Commuted Sum will be calculated on a case by case basis.  |
| 3.5        | In cases where a developer is required to improve existing open space planning officers from Place and Economy Department liaise with CNS Landscape Planning & Development (LPD) Team to identify council maintained open space in proximity to the proposed development   |

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|     | <p>site. LPD officers, in partnership with CNS Operational / Outreach Managers, elected members and local users, help quantify potential physical improvements and provide technical support to planners in terms of design and cost estimation. This information can then be used to help inform negotiations around a developer contribution.</p>   |
| 3.6 | <p>Developer Contributions are a form of Planning Obligation and are normally secured through a Planning Agreement under Section 76 of the Planning Act (Northern Ireland) 2011. A Planning Agreement is a legally binding agreement between the relevant parties, normally between the council, landowner, applicant and any other parties directly involved in fulfilling the agreement.</p>  |
| 3.7 | <p>As part of the planning process, developer contributions to improve existing open space were secured by colleagues in Place and Economy Department and relate to residential development schemes below. Council has received each of the financial contributions by way of a Planning Agreement.</p> <ol style="list-style-type: none"> <li>1. LA04/2019/0025/F - Parklands, Knocknagoney Dale – £90,000</li> <li>2. LA04/2017/0235/F - Rosepark House, Upper Newtownards Road – £53,000</li> <li>3. LA04/2015/0670/F - Lands at Castlehill Manor, Castlehill Road – £39,750</li> </ol>                          |
| 3.8 | <p>City &amp; Neighbourhood Services now wish to deliver a range of open space improvements at council maintained open space referenced in the Planning Agreements or those in closest proximity to the development sites. Council open space to be improved as a result of developer contribution above are:</p> <ol style="list-style-type: none"> <li>1. Knocknagoney Park - £90,000 (adjacent to Parklands development site)</li> <li>2. Tullycarnet Park – £53,000 (1.6 km from Rosepark House development site)</li> <li>3. Belmont Park - £39,550 (1.0 km from Castlehill Manor development site)</li> </ol> |
| 3.9 | <p>Officers from City &amp; Neighbourhood Services Landscape Planning &amp; Development Team and Open Spaces &amp; Street Scene have been working with elected members, operational managers and local users to prioritise and quantify small scale improvements at each of the parks. The total cost of the works at each park cannot exceed the associated financial contributions received by council. Within this context the proposed improvements at each park are:</p>   |

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|      | <ul style="list-style-type: none"> <li>• Knocknagoney Park - construction of a new, accessible pedestrian access between Parklands apartment development and the park, including tree maintenance, remedial landscaping and civil engineering works, new lighting and general improvements to the main, lower park entrance.</li> <li>• Tullycarnet Park - refurbishment of the existing outdoor gym area within the park, currently in a poor state of repair, or replacement of the existing outdoor gym facility with a small sensory play area (consultation is currently ongoing with elected members and park user groups from the local neighbourhood)</li> <li>• Belmont Park - construction of a new, bound-stone woodland path between the A55 pedestrian footbridge entrance and the Cairnburn Road entrance, installation of accessible picnic benches / hard-standings at the playground area and a hard-standing for a potential park vendor.</li> </ul> <p>3.10 It is envisaged that all improvement works will be designed in-house and supervised by officers from our Landscape Planning &amp; Development Team.</p> <p>3.11 Colleagues from Place and Economy Department (Plans &amp; Policy Team) have confirmed council has a period of seven years, from receipt of the financial contribution, to deliver agreed open space improvements. In order to assist with internal monitoring of contributions officers from Place and Economy Department (Plans &amp; Policy Team) have requested that, going forward, members are updated regarding proposed open space improvements before commuted sums are released to deliver the works.</p> |
| 3.12 | <p><u>Financial &amp; Resource Implications</u></p> <ul style="list-style-type: none"> <li>• The total cost of open space improvement works must not exceed the financial contribution received for each council maintained open space.</li> <li>• Council has a period of 7 years, from receipt of the financial contribution, to deliver open space improvements.</li> <li>• Open space improvements will be delivered from within existing budget estimates.</li> <li>• Members should note that professional fees will not be incurred using this delivery model, therefore 100% of the financial contribution, secured via the Planning Agreement, can be invested in physical improvements at each site.</li> </ul>   |

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| 3.13       | <u>Equality or Good Relations Implications /Rural Needs Assessments</u><br>None |
| <b>4.0</b> | <b>Appendices – Documents Attached</b>  |
|            | None  |