

Landscaping in New Development

Supplementary Planning Guidance Adopted 20th July 2004

The policy which provides the context for this supplementary planning guidance (SPG) is set out within Cheltenham Borough Local Plan Revised Deposit. This is a draft plan which will be considered by an inspector at a public local inquiry during November 2004. Until this plan is formally adopted by the Council following consideration of the inspectors report, this SPG will not have full weight as a material consideration when taken into account in the determination of planning applications.

The Council does however consider that SPG is useful in assisting developers in developing proposals and encourages the use of this SPG as guidance until such a time as the local plan is adopted.

Cheltenham Borough Council

SUPPLEMENTARY PLANNING GUIDANCE

LANDSCAPING IN NEW DEVELOPMENT

1. INTRODUCTION

- 1.1. This guidance relates to policy CP 3 in the Cheltenham Borough Local Plan Second Review Revised Deposit Draft (2004), which states;

“Development will only be permitted where it would:

- (a) not harm the setting of Cheltenham**
- (b) conserve or enhance landscape character; and**
- (c) conserve or enhance the best of the built and natural environments; particularly interests of acknowledged importance and their settings, and**
- (d) safeguard and promote biodiversity”.**

- 1.2. The objective of this guidance is to set out a clear framework to ensure that the design, implementation and aftercare of landscaped areas achieve a high standard. This should be appropriate to that expected within a garden town that places a high emphasis on the importance and quality of its parks, gardens, green and open spaces and planted areas.
- 1.3. The Council places considerable importance on achieving high quality landscaped areas, which contribute to the attractiveness of the town and the quality of life of residents. Well-designed and maintained landscaped areas are greatly valued by local residents and are a valuable asset.

2. LANDSCAPED AREAS

Definition

- 2.1. This guidance identifies landscaped areas as:

- land to be designated as amenity space;
- land to be designated as play space, or recreational space;
- structural tree planting, or buffer strips;
- strategic planting, i.e. street tree planting, or small incidental pockets of green space that combined form part of the wider landscape;
- existing planting that is to be retained within the proposed development.

- 2.2. Where landscaping is proposed in association with play areas and amenity space, this guidance should be read alongside adopted Supplementary Planning Guidance *Play Space in Residential Developments* and *Amenity Space in Residential Developments*.

Quality

- 2.3. The quality of landscaped areas, in terms of its design, implementation and maintenance, affects the level of use of the space in relation to its attractiveness, the value placed on it by local people and the level of maintenance required. As such, landscaping should be considered at the outset of the design process to ensure that landscaped areas form an integral element of new developments. The Council will carry out quality assessments, as part of its audit and asset management procedures, of existing and new landscaped areas. This will form an essential part of the

process of establishing a local standard for green spaces within Cheltenham. In dealing with the provision of new landscaped areas, local character and distinctiveness, and high quality designs and implementation that have given clear consideration to future maintenance will be sought from developers.

Biodiversity

- 2.4. In preparing proposals for landscaped areas opportunities should be sought to protect, enhance and create wildlife habitats, and to enhance biodiversity including the development of wildlife corridors. This may require a specialist ecology survey of the site before preparing proposals.

Services within development sites

- 2.5. The routes of services should be planned so as not to pass through landscaped areas. If this proves impossible at the design stage, the Council will require the developer to limit the services to within a restricted and well-defined corridor. This corridor must avoid any areas of existing trees or proposed strategic planting (keeping outside the canopy spread of existing trees and no closer than 3 metres from proposed planting). It must also avoid passing under any built or surfaced structures, or siting of access boxes or manholes where they may present a hazard to the public. Similarly, the choice and location of planting in landscaped areas should be appropriate so as to avoid damage, at a later date, to services from intrusive root growth or vegetation.

Drawings of proposals

- 2.6. The Council will expect full details of the treatment of open space areas on scaled plans of sufficient size to enable a proper assessment of the proposal. The laying out of the area should then take place in accordance with the approved details. Should variations to the approved details be subsequently agreed and implemented accurate scaled 'as built' plans will be required prior to transfer of the land for adoption by the Council (see paragraph 4.2).

Contractors compounds

- 2.7. Whilst accepting that compounds for the storage of material and the siting of offices for site management are a necessary feature of construction sites, the Council will seek to ensure that compounds are not placed on land intended to be laid out as landscaped areas. Where compounds are placed on such areas the developers will be required to properly restore and cultivate the land to negate the effects of that use prior to the land being laid out and landscaped. Appropriate restoration will also be required on land outside the boundary of the site that is been used by the developer with the agreement of the landowner for use as a compound.

3. SUBMITTING AN APPLICATION

Pre application discussion

- 3.1. The Council will provide pre-application advice and guidance on the provision of landscaped areas as part of new developments, however this is not to be viewed by developers or applicants as a substitute for employing appropriate professional design and implementation advice from, for example, a chartered landscape architect, professional horticulturist or chartered forester.
- 3.2. Pre application discussion should be viewed by the applicant as a means of discussing and resolving problems at an early stage, which could otherwise delay an application or result in its refusal.

Information to accompany planning applications

- 3.3. The Council is committed to achieving high standards of landscaping in association with new development. To achieve this standard the Council encourages developers to adopt the following quality procedures for landscaping works:
- details of landscape proposals, including a plan and details of planting, landscaping, paths, seating where appropriate and details of any other structures including public art (see supplementary planning guidance – *Public Art*) along with general maintenance and management specifications;
 - a programme for the implementation, maintenance (including regular inspections) and adoption of landscaped areas. On larger sites phasing arrangements will also be required;
 - to specify and procure hard and soft landscape works in accordance with the industry standard National Building Specification (NBS) for Landscape;
 - to source, handle and establish landscape plants in accordance with the Horticultural Trades Association (HTA) National Plant Specification;
 - to produce finalised ‘as-built’ plans and drawings of hard and soft landscape works in hard copy and digitised formats, at the cost of the developer for supply to the Council. The later format should be compatible with the Council’s GIS system (ARCGIS) and should include comprehensive bills of quantities to enable the accurate costing and provision for future maintenance.
- 3.4. Failure to provide an adequate and appropriate level of detail at the initial application stage may result in an application being delayed or refused.

4. ADOPTION AND MAINTENANCE

Adoption

- 4.1. The long-term maintenance of landscaped areas is critical to ensure they achieve and maintain their maximum potential benefit and value. The Council will expect the developer to be responsible for the design, specification, and layout of landscaped areas as part of the overall development of the site.
- 4.2. The Borough Council will be willing to adopt landscaped areas under the following circumstances:
- where it can be clearly demonstrated that landscaped areas have been laid out in line with the guidance contained within this document;
 - following a year’s maintenance (see paragraph 4.3) by the developer or their contractor, starting at the point of practical completion of landscape works, during which time any problems can be identified and remedied;
 - upon payment of a ten year commuted maintenance sum to meet the maintenance costs associated with the upkeep of the landscaped area.

Inspection

- 4.3. Where developers wish to enter into an agreement with the Council to adopt landscaped areas, the Council will require developers to maintain such areas for twelve months, including a defects liability period. The purpose of this period is primarily to ensure landscaping has become established prior to the areas being transferred. The developer shall inform the Council in writing when the development commences, when the open space works are to commence and when they are substantially complete.

- 4.4. During the twelve-month maintenance period prior to adoption of landscaped areas the Council will undertake three inspections:
- 1) on completion of the layout and planting;
 - 2) before the end of the relevant planting season (i.e. prior to the end of the twelve month period- where applicable) to agree replacements with the developers and/or landscape contractor;
 - 3) inspection of replacements prior to transfer.
- 4.5. The developer will be required to cover the legal and conveyancing costs involved in transferring the landscaped areas to the Council and make an appropriate contribution towards maintenance after adoption. This contribution will normally be in the form of a commuted sum, to cover 10 years maintenance, secured through a Section 106 agreement.
- 4.6. When the council is satisfied that the works have been completed in accordance with the approved scheme, a "Certificate of Completion" will be prepared. The "Certificate of Completion" will be forwarded to the Head of Legal Services/Solicitor to the Council. The Solicitor will advise the developers of the need to pay the commuted sum and convey the land. On receipt of the commuted sum and following the transfer of the land, the Solicitor will issue the "Certificate of Completion" to the developers.

5. FURTHER INFORMATION

Relevant legislation

- Town and Country Planning Act 1990

Guidance

- PPG 12 Development Plans. DTLR (1999)
- PPG Note 17, Planning for Open Space, Sport and Recreation. ODPM (2002)
- Assessing Needs and Opportunities: A Companion Guide to PPG17. ODPM (2002)
- PPG 3 – Housing. DTLR (2000)
- Green Spaces, Better Places. Final report of The Urban Green Spaces Task Force. DTLR (2002)
- Cleaner, Greener, Safer. ODPM (2002)
- Cheltenham Borough Local Plan Second Review Revised Deposit Draft, Cheltenham Borough Council (2004)
- Green Care Strategy. Cheltenham Borough Council *to be revised under the Green Spaces Strategy*
- Cheltenham Strategic Green Network. Cheltenham Borough Council *to be revised under the Green Spaces Strategy*
- National Urban Forestry Unit (NUFU)
- National Plant Specification (NPS)
- Nursery Certification Scheme (NCS)
- Contractors Certification Scheme (CCS)
- Biodiversity Action Plan for Gloucestershire. Gloucestershire Biodiversity Partnership (2000)

Useful websites

- www.cheltenham.gov.uk
- www.planning.odpm.gov.uk

- www.gohelios.co.uk
- www.nufu.org.uk

6. CONTACTS

- 6.1. The following officers of Cheltenham Borough Council will be able to offer further advice on the issues set out in this guidance:

Parks Development Manager
01242 774731
Strategic Land Use Officer
01242 264382

Development Control Manager
01242 264168