

HDC Local Planning Advisory Panel 23rd June 2014

Local Green Space Update

1. Purpose

- 1.1. The purpose of this report is to inform the Advisory Panel of the progress made relating to representations from landowners concerning Local Green Space Submissions from Parish Councils and others.
- 1.2. Approval is sought from the Advisory Panel concerning the consultation process undertaken to date.
- 1.3. Officer recommendations and observations have been included in the submissions list at **Appendix 1**. Panel members are asked to comment on the recommendations made by officers to designate Local Green Space, and discuss whether Local Green Space sites should now be made available through an options consultation on proposed sites and subsequently as allocations in the new Local Plan.

2. Background

- 2.1. The National Planning Policy Framework (NPPF), introduced in March 2012, allowed communities to designate Local Green Space (see text from NPPF in **Appendix 2**). It specifies that local communities through Local Plans and Neighbourhood Plans should be able to identify green areas of **particular importance** to them for **special protection**. In May 2012 communities were asked to assess the local value of their Important Open Land and other green spaces and consider whether they are appropriate for designation as Local Green Space.
- 2.2. Sites that already have an open space, sport or recreation function within communities are protected under Core Strategy Policy CS8, and were identified by communities in 2004 as part of the Open Space, Sport and Recreation Assessment. The NPPF also states that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

ITEM No. 6

- 2.3. The existing sites identified as Open Space Sport and Recreation sites did not need to be resubmitted because of their existing protection and only newly submitted sites that comply with the Local Green Space criteria can be considered for designation as Local Green Space.
- 2.4. It should be noted that a new assessment of need, as demanded by the NPPF, is proposed to be undertaken through consultation during 2014.
- 2.5. Open space sites subsequently adopted by the Council through new development have been added to the list of sites for open space sport and recreation thus maintaining an up to date and relevant data base.
- 2.6. It is proposed that Important Open Land (Local Plan 2001) will be replaced by a criteria based policy in the new Local Plan to assess any proposed development on its merits.
- 2.7. The NPPF states that by designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Therefore any such designations should be consistent with the local planning of sustainable development and be compatible with investment in sufficient homes, jobs and essential services. The NPPF (paragraph 77) specifies that the Local Green Space designation will not be appropriate for most green areas or open space and sets out that it should only be used where it meets the following 3 criteria:

Criteria 1: The green area is in reasonably close proximity to the community it serves.

HDC guidance

Whilst Local Green Space may well be within the settlement itself, it is important that it is not isolated from the community it serves and it should be easily accessible by walking and/or cycling in order to promote health and well-being.

Criteria 2: The green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.

HDC guidance

Core Strategy policy seeks to ensure that new development is directed away from undeveloped areas which are important to the form and character of a settlement or locality. The Council is particularly interested to know why a particular parcel of land (or a logical grouping of linked green areas) is valued by the local community along with how and what it contributes to the settlement's character. Its contribution could be either to open space, sport and recreation (in which case it could be added to the existing audit of similar sites) or to the form and character of the settlement or locality and it should fulfil one or more of the following functions:

- Makes an important visual contribution to the street scene;
- Makes an important contribution to the physical form and layout of the settlement;
- Is of historic significance;
- Provides a setting for and allows views of heritage assets or other locally valued landmarks;
- Is of particular local significance because of its beauty and/or tranquil quality;
- Is of recreational value to the local community;
- Is special due to the richness of its wildlife or the value of its habitat; or
- Links up with other open spaces and allow views through and/or beyond the settlement which are valued locally.

It is important that the community **demonstrates** that the Local Green Space designation is appropriate through providing evidence of its value to and use by the local community.

Criteria 3: The green area is local in character and is not an extensive tract of land.

HDC Guidance

The Council recognises that this criterion will differ between settlements depending on their physical size and population. However, designations which cover extensive areas such as Green Wedges or Areas of Separation will not normally be suitable for designation as Local Green Space as they are subject to specific protection policies in the Core Strategy and will be reviewed as part of either the Allocations Plan or relevant Neighbourhood Plan

3. Briefing

- 3.1. In May 2012 officers sought submissions, with evidence, from Parish Councils of proposals for Local Green Space sites. Replies were received from 31 individual Parish Councils, and a total of 108 sites were submitted.
- 3.2. Officers commenced logging and mapping the data submitted and a desk top exercise was undertaken to evaluate whether the submitted sites met the National Planning Policy Framework criteria for Local Green Space.
- 3.3. Parish Councils were informed of officer's initial thoughts about designation of sites as Local Green Space and, where required, asked to submit further information to support their submission and names and addresses of land owners. This second round of consultation took place from 23rd September 2013 until 22nd November 2013.
- 3.4. A second opportunity was also given to all Parish Councils between September 23rd and November 22nd 2013 to submit suitable sites for assessment, and information was available on the Council website inviting members of the public to submit sites that have local significance.
- 3.5. Advisory Task Panel was informed of progress of the consultations at the Task Panel meeting of 31st January 2014.
- 3.6. Officers contacted all landowners and agents, where information was supplied, and a consultation window of 8 weeks was given to landowners ending on 31st March 2014. An extension of time was granted to some landowners on request. The final representations were received by end of May 2014.
- 3.7. It should be noted that some sites have multiple land owners; hence the number of sites listed is greater than the actual number of individual sites submitted. E.g. LGS/THUR/8 has some 16 individual land owners
- 3.8. The full list of submitted sites is contained at **Appendix 1** with a summary of landowner representations and officer comment and recommendations.

Local Green Space Submissions	
Number of submitted sites	176
Number of sites suitable for LGS (in officer opinion)	33
Number of sites that require further information ¹	51
Number of sites with ownership details supplied	137

¹ where a landowner name has not been supplied or insufficient evidence has been submitted sites have been added to this category

3.9. It is planned to make the results of officer recommendations available to communities and landowners through an options consultation later in 2014. This will allow interested parties to make representations on the proposals for Local Green Space in the District and allow for the submission of further information relating to sites where this is considered necessary to justify allocation.

3.10. A further statutory consultation will take place on all proposed sites prior to examination of the new Local Plan. No sites can be designated as Local Green Space until a Local Plan is adopted or a Neighbourhood Plan is 'made'.

3.11. Whilst it must be recognised that when a site has been designated as Local Green Space development of that site will not be permitted in most circumstances, there may be very special circumstances where development will be permitted (para 76 of NPPF). It is important that policies and criteria are developed in the New Local Plan that take account of very special circumstances and allow development when it is demonstrably for the benefit of the community.

3.12. Sites that have been submitted, but not designated, as Local green Space should be recognised in the new Local Plan. Although not suitable to be designated as Local Green Space a criteria based approach could be developed to capture communities concerns about land that is important to the character, physical form and openness of settlements to protect against development.

4. Further Information

4.1. For further information contact Matthew Bills, Neighbourhood and Green Spaces Officer (m.bills@harborough.gov.uk)

Appendix 1 – see document attached

Appendix 2

Extract from National Planning Policy Framework (DCLG 2012, paragraphs 76-78)

76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *where the green space is in reasonably close proximity to the community it serves;*
- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.*

78. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.