

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY 20 JUNE 2018

Title of report	LOCAL GREEN SPACES
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Purpose of report	To provide Local Plan Committee with background on Local Green Spaces and to agree for a Call For Sites to be undertaken.
Council Priorities	Homes and Communities
Implications:	
Financial/Staff	The cost of undertaking the call for sites and associated assessment will be met from existing budgets.
Link to relevant CAT	None
Risk Management	If Local Green Spaces are to be identified as part of the Local Plan it is essential that there is appropriate evidence available to justify their designation. Having a call for sites and an agreed methodology against which to assess potential sites will provide this and so reduce the risk of challenge through the local plan process.
Equalities Impact Screening	None discernible
Human Rights	None discernible
Transformational Government	Not applicable
Comments of Head of Paid Service	The Report is Satisfactory
Comments of Section 151 Officer	The Report is Satisfactory

Comments of Deputy Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board
Background papers	The National Planning Policy Framework 2012 The Draft National Planning Policy Framework 2018
Recommendations	<p>THAT THE LOCAL PLAN COMMITTEE SUPPORTS THE PROPOSALS THAT:</p> <p>(i) CONSIDERATION BE GIVEN TO INCLUDING LOCAL GREEN SPACE AS PART OF THE LOCAL PLAN REVIEW;</p> <p>(ii) A CALL FOR SITES FOR THE IDENTIFICATION OF POTENTIAL LOCAL GREEN SPACES BE UNDERTAKEN AS OUTLINED AT PARAGRAPHS 3.2 AND 3.3 OF THIS REPORT; AND</p> <p>(iii) THE CALL FOR SITES BE OPEN FOR AN 8 WEEK PERIOD TO ALLOW EVIDENCE TO BE GATHERED.</p>

1.0 BACKGROUND

1.1 The National Planning Policy Framework (NPPF) (paragraph 76 and 77) states:

“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.

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.*

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

- 1.2 The provision to identify Local Green Space is still included in the draft replacement NPPF although the wording has been tightened, the reason and criteria remain unchanged (para 100-102; 2018 draft).
- 1.3 It is clear from the NPPF that the designation is not suitable for every green space in a settlement as it provides a high level of protection. It also cannot be used to put in a blanket cover to achieve Green Belt type protection under a different name and prevent sustainable development.
- 1.4 Any open green space is eligible to be considered including privately owned land as long as the criteria are met, it should be noted that designation of private land does not confer any additional rights of access than already exist.
- 1.5 If a site already has a level of protection under another designation for example National Park, SSSI or Conservation Areas, then consideration needs to be given to whether a further level of protection would generate any additional local benefit.
- 1.6 The adopted Local Plan does not identify any Local Green Space. The issue was discussed at the examination in response to comments from local residents. The Local Plan Inspector suggested that the designation of Local Green Spaces could be explored as part of the Local Plan review

2.0 SHOULD THE LOCAL PLAN INCLUDE LOCAL GREEN SPACE?

- 2.1 Having regard to the NPPF it is clear that Local Green Space can be designated in Local Plans or Neighbourhood Plans. Currently Local Green Spaces have been proposed in the emerging Ashby de la Zouch and Ellistown & Battleflat Neighbourhood Plans although neither have published any justification for the designations.
- 2.2 At the Local Plan examination the point was made that Neighbourhood Plans are particularly suited to identifying Local green Space. However, the counter argument to this was that only a small part of the district is covered by Neighbourhood Plans. At the present time we have two drafted Neighbourhood Plans and two additional Neighbourhood Areas designated covering three parishes.
- 2.3 If the District Council chose to designate Local Green Spaces it would mean that there would be a consistent assessment of the identified green spaces across the district. It would also mean that the designation would cover those parts of the district that do not have Neighbourhood Plans. The counter argument is that if we identify less green spaces as suitable for designation than the existing Neighbourhood Plans it might be considered that we are undermining the communities' desires.
- 2.4 However, the NPPF wording allows for both Local and Neighbourhood Plans to designate Local Green Space and so this argument could be balanced by the ability of a Neighbourhood Plan to designate additional sites.
- 2.5 Therefore, it is considered appropriate as part of the Local Plan review for consideration to be given to the identification of Local Green spaces.

3.0 NEXT STEPS

- 3.1 It is proposed that the Council undertake a Call for Sites as a means to identify potential local green space sites for consideration.
- 3.2 The call for sites, would go to all Parish and Town Councils and all district councillors. They will be encouraged to seek nominations from local people as well being able to draw on their significant knowledge of their areas and the sites that might be appropriate. For those areas where there is not a parish council there may be a local group who could take on this role. The local councillors in these areas will be contacted in advance of the consultation to ascertain if there are such groups they would wish to be contacted.
- 3.3 In addition, the consultation will be published as a web page so that individuals could also submit sites if they wished, making the call for sites open to all residents in the North West Leicestershire area.
- 3.4 Once the consultation has ended an assessment of the nominated sites can be undertaken by officers with a report to be published which would outline the sites submitted and the consideration of each. This would then form part of the evidence base for the reviewed Local Plan and be available as evidence to Neighbourhood Forums.