

NEIGHBOURHOOD PLANNING

LOCAL GREEN SPACE DESIGNATION



Planning policy gives communities the opportunity to protect green areas through the new Local Green Space (LGS) designation. The LGS designation can provide special protection against development for green areas of particular importance to local communities.

Aims of this Guidance

This document gives some background about the LGS designation and proposes an approach to nomination and designation that a Neighbourhood Plan group may wish to follow to successfully designate a LGS.

Planning Policy Guidance

The potential to nominate and designate LGS as well as criteria for suitable sites is identified in the National Planning Policy Framework (NPPF, 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.

Further guidance related to LGS designation can be found on the Planning Policy Guidance website at: <http://planningguidance.communities.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

What is a Local Green Space?

The criteria within paragraphs 76-78 give some steer as to the types of green spaces that might be suitable for designation. To assist Neighbourhood Plan groups, some suggestions of types of spaces that might be suitable include: playing pitches, allotments, accessible woodlands, cemeteries, nature reserves and village greens.

Approach to LGS designation within South Hams and West Devon

Planning Practice guidance sets out that LGS designation is for use in Local Plans or Neighbourhood Plans. These plans can identify on a map ('designate') green areas for special protection.

Within the South Hams and West Devon administrative areas these two designation methods are:

- @Plymouth Area (this being the area surrounding the Plymouth administrative boundary and falling within the '@Plymouth' boundary) – designation via the Joint Local Plan process – this method is not considered further in this document.
- All other parts of South Hams and West Devon (i.e. beyond the @Plymouth boundary) – designation via the Neighbourhood Plan consultation process. It is this method which is considered further in this guidance document.

Consultation

As part of the Neighbourhood Planning consultation process residents within your Neighbourhood Plan area should be given the opportunity to nominate LGS which are important to them.

Taking into account the criteria within paragraphs 76-78 of the NPPF, it is recommended that the consultation should ask for the following information:

- The name and location of the suggested site with as much detail as possible, this may include a map, post code, grid reference and/or descriptions of the boundaries of the site as appropriate.
- Evidence of how the space is of local significance providing information as to how the space satisfies one or more of the following criteria: beauty, historic significance, recreational value, tranquillity and/or richness of wildlife.
- Evidence that the space will be protected and managed into the future. This may include a Management Plan, an active Friends group or other community commitments, planned investment or other future plans.

Assessment

Once the nominations are received, the Neighbourhood Plan group should carry out an assessment of the sites. The following conditions are suggested as a guide to the considerations the group should make to ensure the process has been robust (and ultimately meet the 'basic conditions' considerations within the Independent Examination process):

The group's decisions should be clearly recorded and justified, to show a fair and transparent process to the public, and as evidence to the Independent Examiner.

The 6 Assessment conditions:

1. Does the green space have existing planning permission?

LGS designation will rarely be appropriate for land which has planning permission for development. Any special circumstances relating to the proposed development will be taken into account. The process should not be used as a means of undermining the local planning process.

2. Is it already designated?

The group should consider whether the spaces are already legally designated. Existing designations include:

- Registered Park and Garden
- Registered Common Land
- Town/Village Greens
- European designations (Special Protection Area or Special Area of Conservation)
- Site of Special Scientific Interest (SSSI)
- Local Nature Reserve (LNR)

If one of the above designations already exists on the site a special case showing the further additional benefit that Local Green Space would have.

It should be noted that different types of designation are intended to achieve different purposes. E.g. The LGS designation could bring additional protection to a site within an AONB or National Park. However if the same site is a SSSI, it is unlikely that there would be any additional protection as a result of designating as a LGS.

3. Size limits

The LGS should be 'local in character and is not an extensive tract of land'. The group should use their judgement but sites will need to be largely self-contained and local. (Blanket designation of areas of open countryside adjacent to settlements would not be appropriate).

4. Is it shown to be of local significance?

The group should decide whether a convincing case has been made according to the criteria set out in the NPPF: beauty, historic significance, recreational value, tranquillity and/or richness of wildlife.

5. Is it local in character and close to the local population?

This will depend on local circumstances but the LGS should typically be within easy walking distance of the community it serves. It should be noted that public access is not a prerequisite for designation (e.g. if an area is valued because of wildlife, historic significance or beauty).

6. The LGS must be capable of lasting beyond the Joint Local Plan or Neighbourhood Plan period.

The group should consider any evidence that the space will be protected and managed into the future. Such evidence might include: A Management Plan, an active Friends of Group, planned investment or other future plans

Management of land designated as LGS will remain the responsibility of its owner. Local communities might consider how they could seek to conserve the features that make a LGS special and local significant. With the landowner's agreement, they might be able to get involved, perhaps in partnership with interested organisations that can provide advice or resources.

Consultation with landowners

A LGS does not need to be in public ownership. However, the Neighbourhood Plan group planning should contact landowners at an early stage about proposals to designate any part of their land as LGS. Landowners will also have the opportunity to make representations or object to proposals when the Neighbourhood Plan is consulted upon.

Designating a green area as LGS would give it protection consistent with that in respect of Green Belt, but otherwise there are no new restrictions or obligations on landowners.

Designation

LGS sites will be formally designated through the adoption of the Neighbourhood Plan. The District/Borough Council will consider the draft Neighbourhood Plan when consulted by the Neighbourhood Plan group and will offer constructive comments.

An Independent Examiner will assess whether the Neighbourhood Plan meets the 'basic conditions' - one of which includes having regard to national policies – of relevance in this case being Paragraphs 76-68 of the NPPF. . The examiner will also consider any objections made by the public or landowners. It is therefore important that the Neighbourhood Plan group only include sites which meet the criteria within the NPPF within their proposed designations.

After the Independent Examination has taken place and after the examiner's report has been received, the District/Borough Council will come to its formal view on whether the draft neighbourhood plan or Order meets the basic conditions.