

# **South Gloucestershire Council**

## **Local Green Space Designation Updated Guidance Note**

**November 2015**



## 1. Introduction

- 1.1 The Government's National Planning Policy Framework (NPPF) introduced a new designation of Local Green Space (LGS) in March 2012. Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. This guidance sets out how the LGS designation is being interpreted and applied within South Gloucestershire in the context of the emerging Policies, Sites and Places Plan ([www.southglos.gov.uk/policiessitesandplaces](http://www.southglos.gov.uk/policiessitesandplaces)). This guidance note updates the version produced in June 2015, insofar as it details the engagement being undertaken in November - December 2015.
- 1.2 The LGS designation can only be made through a Local or Neighbourhood Plan. The Council published its Policies, Sites and Places (PSP) Plan for formal public consultation (between 22 May and 3 July 2015), following the Council's decision in March 2015. Within the PSP Plan, Policy PSP4 (Designated Local Green Spaces) restricts inappropriate development on land designated as Local Green Space. The list of spaces nominated for designation as local green space (which will be included at Appendix 2 of the PSP Plan) was excluded from the proposed submission version of the Plan and was the subject of separate informal consultation conducted over summer 2015.
- 1.3 The consultation provided details on the initial assessment of the spaces, the suitability for designation and provide details of the justification submitted to support the designation. The list of spaces, associated justification, assessment and mapping can be found on the Council's website: [www.southglos.gov.uk/LGSD15](http://www.southglos.gov.uk/LGSD15). Following the completion of the consultation the responses are being appraised by officers, and the list of spaces for designation finalised and agreed by Council. Further landowners/leaseholders were identified following the summer 2015 consultation. Therefore, engagement with these landowners/leaseholders is being carried out between November and December 2015. No council decision has been taken on the nominated Local Green Spaces. Due to the delay in the submission of the PSP Plan the final list of spaces will be consulted upon around summer 2016, before being submitted to an Examination in Public, which is carried out by an independent Inspector. For further details on the PSP Plan, please visit: [www.southglos.gov.uk/LGSD15](http://www.southglos.gov.uk/LGSD15) or [www.southglos.gov.uk/policiessitesandplaces](http://www.southglos.gov.uk/policiessitesandplaces).
- 1.4 The engagement starting in November 2015 will provide the opportunity to review the mapping and evidence that has been provided to date. It will provide landowners and leaseholders with the opportunity to comment on proposed nominations which affect their land.
- 1.5 Spaces have been nominated through a number of opportunities during the preparation of the PSP Plan, this engagement is only in relation to the additional 70 spaces related to newly identified landowners and leaseholders. The engagement (starting in November 2015) is therefore only focused on these 70 nominated spaces, there will be no further additional spaces accepted at this stage.

## 2. The Policy Context

### 2.1 National Planning Policy Framework (NPPF)

The NPPF (<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/8-promoting-healthy-communities/>) provides the following information on Local Green Space Designations:

*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), tranquility 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.*

2.2 Additional guidance is provided in the National Planning Practice Guidance (NPPG) - <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-green-space-and-rights-of-way-2/local-green-space-designation/>

### 2.3 Local and Neighbourhood Plans

Local Green Spaces can be designated in Local Plans (such as the Policies, Sites and Places (PSP) Plan) or Neighbourhood Plans. Currently no Neighbourhood Plans have been nominated by communities in South Gloucestershire.

2.4 A policy relating to Designated LGS has been included in the proposed submission version of the PSP Plan (dated March 2015). The PSP Plan also includes a policy on undesignated open spaces within urban areas and settlements. These policies are PSP4 and PSP5, and can be viewed here: [www.southglos.gov.uk/PSPpublication](http://www.southglos.gov.uk/PSPpublication).

### **3. Process for Designation**

Step 1: Submit proposed space and supporting evidence to South Gloucestershire Council.

The onus is on the person/community representative to supply evidence to support the designation.

Step 2: South Gloucestershire Council will review all the evidence submitted and consider national guidance (see section 2) and local guidance (see section 4), to determine if the space is suitable for designation. Please see details set out in section 4.

Step 3: If the space is going to be proposed for designation within the 'proposed submission' version of the Policies, Sites and Places Plan, South Gloucestershire Council will contact landowners and leaseholders (if known).

Step 4: Suitable spaces for designation will be considered by Council prior to a final round of formal consultation (summer 2016).

Step 5: The proposed designation of spaces will be "tested" through the plan process. Anybody can object to policies or designations in the PSP Plan during the consultation periods and these consultation responses must be considered. Objections can also be made to the non-designation of spaces. Local Plans are formally scrutinised by an independent Planning Inspector, who will ensure that the plans are robust and based on sound evidence.

Step 6: Formal designation will take place when the Policies, Sites and Places Plan is adopted, currently anticipated to take place in 2017.

## 4. Criteria for Designation

4.1 Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. Any type of green space could be suitable for designation and may also include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.

4.2 Local Green Space:

- should only be designated when a Local or Neighbourhood Plan is prepared or reviewed;
- should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services; and
- must be capable of enduring beyond the end of the plan period.

4.3 National policy also states that 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), tranquility or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

4.4 The proposed designation of spaces must be based on evidence to demonstrate why the green area is demonstrably special to a local community and holds a particular local significance. Blanket designation of all/most green areas or open space within an area is not appropriate.

4.5 A potential Local Green Space should meet the criteria set out in the National Planning Policy Framework and the National Planning Practice Guidance. These criteria are not specific, but act as guidance which should then be interpreted at a local level. South Gloucestershire Council has set out its own local guidance in paragraphs 4.8 & 4.9, and in Tables 1 & 2 below.

4.6 In order to aid the submission of evidence to support the designation of a proposed space a response form has been created, which is based on the guidance set out below (this is separately available from [www.southglos.gov.uk/LGSD15](http://www.southglos.gov.uk/LGSD15)). Those commenting on a nominated space should complete a separate response form for each space. Evidence already submitted to the Council will be used in conjunction with any completed forms when determining the suitability of designation. Those objecting can use the same response form.

4.7 The following guidance reflects the local interpretation of national guidance and national planning policy.

### 4.8 Educational Sites

School and college playing fields and grounds would not normally be suitable for designation. This is because national guidance states that the space must be capable of enduring beyond the plan period. In order to address future needs for school places there may be a need to reconfigure the arrangement of school buildings and playing fields. The National Planning Policy Framework states that local planning authorities should give great weight to the need to create,

expand or alter schools. Therefore, educational sites (grounds and playing fields) would not normally be suitable for designation.

#### 4.9 Highway Land/Roadside Verges

Highway land/roadside verges would not normally be suitable for designation. This is because national guidance states that the space must be capable of enduring beyond the plan period. Land adjoining an existing highway is the subject of 'Permitted Development' rights, which could be used to bring forward development that may be contrary to a Local Green Space designation, but would not require planning permission to be granted. Highway land may also be utilised in bringing forward future highway/transport schemes. Therefore, highway land/roadside verges would not normally be suitable for designation.

Table 1:

**Every proposed space must meet all the criteria 1-5, listed in table 1.**

Criteria		Explanation of criteria / evidence prompts
1.	It will rarely be appropriate to designate spaces that are the subject of a planning permission for development.	<p>Is the space the subject of a planning permission for development?</p> <p>Information on planning permissions is available from: <a href="http://developments.southglos.gov.uk/online-applications">http://developments.southglos.gov.uk/online-applications</a></p> <p>Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the planning permission or where planning permission is no longer capable of being implemented.</p>
2.	It will not be appropriate to designate spaces that are allocated or proposed for development in the Local or Neighbourhood Plan, unless it can be shown that the Local Green Space could be incorporated within the site as part of the allocated development.	<p>Is the space allocated or proposed to be allocated in a Local or Neighbourhood Plan?</p> <p>Further information on the Local Plan is available from: <a href="http://www.southglos.gov.uk/localplan">www.southglos.gov.uk/localplan</a></p> <p>The designation of Local Green Spaces should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p> <p>The NPPG states that: Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.</p> <p>The space should be capable of enduring beyond the plan period.</p>

<p>3.</p>	<p>The space must not be an extensive tract of land and must be local in character.</p>	<p>Designated spaces would normally be fairly contained with clearly defined edges.</p> <p>Spaces over the size of 19 hectares have been highlighted as not being suitable for designation in accordance with a recent independent Examiner’s decision relating to a Neighbourhood Plan. We are therefore using this as a suitable measure.</p> <p>Why does the space or combination of adjoining spaces “feel” local in character and scale, in respect of the local community that the space serves?</p> <p>Is the proposed space larger than other areas of land in the vicinity? Is it contained with clearly defined edges?</p> <p>How does the space connect physically, visually and socially to the local area?</p> <p>Blanket designation of open countryside adjacent to settlements is not appropriate.</p>
<p>4.</p>	<p>The space must be within close proximity to the community it serves.</p>	<p>The space would normally be within easy walking distance of the community it serves.</p> <p>How close is the space to the community it serves?</p>
<p>5.</p>	<p>The space must be demonstrably special to the local community.</p>	<p>Blanket designation of all/most green areas or open space within an area is not appropriate. The space must be demonstrably special by meeting at least one of criterion 6-11, in Table 2.</p> <p>Other relevant evidence: Does the space have a friends group? Is the proposal to designate supported by any of the following:</p> <ul style="list-style-type: none"> <li>- A friends group</li> <li>- Local community groups</li> <li>- A parish plan etc.</li> <li>- The Town/Parish Council</li> <li>- The Ward member(s)</li> <li>- The MP</li> </ul>



Table 2:

**All spaces must meet at least one of the following criteria:**

<b>Criteria</b>		<b>Explanation of criteria / Evidence prompts</b>
6.	The proposed space is of particular local significance because of its beauty.	<p>This relates to the visual attractiveness of the space, and its contribution to townscape, landscape, character and/or setting of the settlement, which would normally be expected to be significant.</p> <p>How is the proposed space of particular local significance, in respect of its beauty?</p> <p>Is the space covered by other landscape or townscape designations? (e.g. Area of Outstanding Natural Beauty or Conservation Area)</p> <p>Does the space have a literature or art connection?</p>
7.	The proposed space is of particular local significance because of its historic significance.	<p>How is the proposed space of particular local significance, in respect of its historic significance?</p> <p>Does the proposed space or elements of the space have local historical significance?</p> <p>Are there any historic buildings or structures in the space? (e.g. listed building or scheduled monument)</p> <p>Are there any important historic landscape features on the space? (e.g. veteran trees or old hedgerows)</p> <p>Does the space have a historic literature or art connection?</p> <p>Does the space relate to any historic rituals?</p>
8.	The proposed space is of particular local significance because of its recreational value.	<p>How is the proposed space of particular local significance, in respect of its recreational value?</p> <p>What variety of recreational activities does the space support? (e.g. the space is used for playing sport and for informal recreation)</p> <p>National guidance states that there is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.</p>

9.	The proposed space is of particular local significance because of its tranquility.	<p>How is the proposed space of particular local significance, in respect of its tranquility?</p> <p>Green spaces may provide value to the local community in terms of providing an oasis of calm, perhaps in a busy town, or a space for quiet reflection. Why is the space considered to be tranquil?</p>
10.	The proposed space is of particular local significance because of its richness of wildlife.	<p>How is the proposed space of particular local significance, in respect of its richness of wildlife?</p> <p>Is the proposed space formally designated for its wildlife value? (e.g. is it a SSSI, SNCI or Local Nature Reserve).</p> <p>Are any important habitats or species found in the space?</p> <p>Does the proposed space support species of fauna or flora protected under the Wildlife &amp; Countryside Act 1981 (as amended); Countryside and Rights of Way Act 2000 or Habitat Regulations 2010; species and habitats listed on the South Gloucestershire Biodiversity Action Plan (BAP); or species and habitats listed by the Government as being of Principle Importance for Biological Diversity in Britain under Section 41 of the Natural Environment &amp; Rural Communities Act 2006 (Priority Species and Habitats)?</p> <p>Does the proposed space support species of birds listed on the Red, Amber or Green Lists of Species of Conservation Concern or notable assemblage of invertebrates?</p> <p>Does the proposed space support irreplaceable habitats such as ancient semi-natural woodland and veteran trees?</p> <p>Does the proposed space function as part of a wildlife corridor or green infrastructure enabling the dispersal and favourable status of species of flora and fauna?</p>
11.	The proposed space is of particular local significance because of another reason not covered by criteria 6-10.	<p>Are there any other reasons why the proposed space has a particular local significance for the local community?</p>

## **5.0 The Next Steps**

5.1 This engagement with newly identified landowners/leaseholders ends on the 18<sup>th</sup> December 2015. The Council will review all responses/evidence submitted and finalise the list of Local Green Spaces. The final list of spaces will be consulted upon around summer 2016, prior to the Examination in Public, which is carried out by an independent Inspector.

Further details of the PSP Plan can be found here:

[www.southglos.gov.uk/policiesitesandplaces](http://www.southglos.gov.uk/policiesitesandplaces).