

Gedling Borough Council

Response to Matter 16

Open Space

Issue 16a: Open Space and Local Green Space

Q1. Does the Plan make appropriate provisions for the protection and provision of open space; and the designation and protection of local green space; in accordance with national policy? [Policies LPD 20 – LPD 22]

Open Space

- 16.1 The Local Planning Document includes a range of policies to protect and provide for new open space in accordance with national policy. Policy LPD 20 (a) protects existing open space, identifying eight different types of open space as identified in the Green Space Strategy 2012-2017 (**LPD/OPE/03**). As such, planning policy is based on a robust and up-to-date assessment of the need for open space, in accordance with NPPF para 73. With regards to protecting open space, Policy LPD 20 (b) outlines five exceptions whereby development would be acceptable, in accordance with those outlined in para 74 of the NPPF. As such, the designation and protection of open space is in accordance with national policy.
- 16.2 With regards to the provision of future open space, Policy LPD 21 requires the provision of a minimum of 10% open space to be provided on sites of 0.4 ha and above developed for residential uses. This approach accords with paragraph 73 of the NPPF which recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It is intended that a future SPD will supersede the New Housing Development SPG for Open Space Provision (2001) (**LPD/OPE/04**), in order to explain the requirement for new open space provision, to help applicants incorporate open space provision into development proposals and to provide guidance on any financial contributions required.

Local Green Space

- 16.3 The designation of Local Green Space accords with paragraph 76 of the NPPF and was informed by the conclusions of the Local Green Space Assessment (**LPD/OPE/01**). Sites for consideration as Local Green Space were put forward in two ways. Firstly, the Issues and Options stage of the Local Planning Document (October 2013) included a question allowing consultees to propose sites for consideration. Secondly, Parish Councils and Ward Members were invited to propose sites in May 2015 as part of a

presentation on the emerging Local Planning Document. As such, local communities have been given the opportunity to identify areas of importance to them in accordance with para 76 of the NPPF.

- 16.4 The methodology used to determine sites put forward for consideration is clearly set out in section 4 of the Local Green Space Assessment and, in essence, assesses sites in a consistent manner against the three criteria for Local Green Space designation set out in para 77 of the NPPF. As such, the designation of Local Green space accords with national policy.
- 16.5 Policy LPD 22 sets out that, once designated, development of Local Green Space will only be considered in 'very special circumstances'. This approach is consistent with the approach taken for Green Belt policy by the LPD (see para 6.1.3), and therefore provides appropriate protection for Local Green Space in accordance with para 78 of the NPPF.
- 16.6 The Local Green Space Assessment Addendum (**LPD/OPE/02**) provides an assessment of the Haywood Road site, which was put forward for consideration through the consultation on the Publication Draft Local Planning Document. The Council has assessed the site using the same methodology as undertaken for all sites proposed for Local Green Space designation. The Haywood Road site is considered unsuitable for designation as Local Green Space on the basis that it is already designated as open space and it is not considered that the site has additional value over and above what is already protected by this designation (in accordance with paragraph 4.3 of the Assessment (**LPD/OPE/01**)). The site put forward for designation comprises a bowling green only, is used for no other use, is not publicly accessible and has been vacant since October 2016. It is not considered therefore that it is demonstrably special to the local community, to justify designation as a Local Green Space.

Q2. Is it appropriate for Policies LPD 20 and LPD 22 to be strategic for Neighbourhood Plan purposes?

- 16.7 As highlighted in the response to Question 1 above, the allocation of both Open Space (LPD20) and Local Green Space (LPD22) is in accordance with national policy. Paragraphs 1.5 and 1.5 of the LPD explain that all policies within the LPD are strategic for the purposes of Neighbourhood Planning, conforming to the requirements set out in para 16 of the NPPF. Through neighbourhood planning, local communities have the opportunity to support local development outside of the strategic elements of the LPD, and add valuable local context to the policy framework.
- 16.8 In the case of LPD 20, as outlined above, the designation of open space is required by para 73 of the NPPF to be based on a robust and up-to-date assessment of the need for open space and it is appropriate that this is undertaken at a borough wide scale. However, provided the designation of additional sites through a neighbourhood plan can similarly be evidence based, then it is appropriate that these are included in order to add a local context.

16.9 In the case of Policy LPD 22, para 76 of the NPPF enables the identification of Local Green Space during the preparation of both local and neighbourhood plans. Modification **MM27** introduces an acknowledgement in paragraph 8.4.1 of the supporting text to the policy that there is an opportunity for local communities to designate Local Green Space through the preparation of a Neighbourhood Plan (as well as a Local Plan). It is important that the LPD meets the requirements of national policy in designating Local Green Space and it is appropriate for LPD22 to be strategic in order to ensure that a consistent approach is taken to the designation of Local Green Space across the Borough. However, it is fully recognised that there is an opportunity for neighbourhood plans to designate other sites in accordance with national and local plan policy.

Q3. In assessing the provision of new open space as part of residential developments, should Policy LPD 21 have regard to the viability of the scheme proposed?

16.10 See paragraphs 16.1 and 16.2 above. The Council will secure the provision of new open space through planning conditions or through the negotiation of a Section 106 Agreement. The NPPF does not specifically require the provision of open space to take account of the viability of the scheme proposed, as it does for affordable housing. The wording of the policy, by referring to negotiation of a Section 106 Agreement, allows the opportunity for the developer to demonstrate that the requirement is not financially viable.

16.11 In any event, Policy LPD 21 allows for an assessment to be made on a site by site basis depending on local needs and provision of new open space to be made in one or more of the following ways:-

- a. Provision within the development;
- b. A financial contribution to provide facilities on or off site; or
- c. A financial contribution to enhance facilities nearby.

16.12 The developer's preference for one or other of the above will be subject to the approval of the Borough Council.

16.13 It is confirmed that the Local Plan Viability Assessment (LPD/HOU/08) has taken into account the requirement for the provision of new open space in reaching the conclusion that all sites are viable across the plan period taking into account the policy impacts of the Local Planning Document.

Q4. Has sufficient consideration been given to the designation of Local Green Space? [Policy LPD 22]

16.14 The Council has considered the designation of Local Green Space sites in accordance with national policy. Sufficient consideration has been given to the designation of sites, which is exemplified in that:-

- The methodology of the Local Green Space Assessment (**LPD/OPE/01**) sought the views of the local community in nominating sites proactively - through a call for sites and through local politicians;
- The Council has assessed the additional site proposed after the initial assessment on its merits, through the Local Green Space Assessment Addendum (**LPD/OPE/02**);
- Local communities have the opportunity, should they see fit, to re-affirm or allocate further Local Green Spaces through the neighbourhood planning process, in accordance with national policy.

16.15 More information is provided under the response to Question 1.

Conclusion

16.16 It is considered that the LPD makes appropriate provision for the protection and provision of open space, including local green space, in accordance with national policy.

16.17 It is considered appropriate that Policies LPD 20 and LPD 22 are strategic for the purposes of neighbourhood

16.18 In assessing the provision of new open space as part of residential developments, it is considered that regard should be had to the viability of the scheme proposed. However, it is not considered that reference should be included within Policy LPD 21 as reference to viability is not required by the NPPF.

Further Proposed Changes

16.19 No further proposed changes are being put forward at this stage.