**Appendix 1: Local Green Space Designation Guidance Note**

The National Planning Policy Framework (NPPF) offers the opportunity for local communities to identify green areas of particular importance to them for special protection. Once designated these open spaces will not be developed except in very special circumstances. 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.

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

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), tranquillity or richness of its wildlife; and
* where the green area concerned is local in character and is not an extensive tract of land

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.

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

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 designated as ‘local green space’ must be capable of enduring beyond the plan period. In order to address future needs for school places there may, on some school sites, be a need to reconfigure the arrangement of school buildings and playing fields. The NPPF states that local planning authorities should give great weight to the need to create, expand or alter schools. Therefore, given this priority educational sites (grounds and playing fields) would not normally be suitable for designation.

Highway land/roadside verges

Highway land/roadside verges would not normally be suitable for designation. This is because national guidance states that the local green 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.

**The B&NES process and timeline to designating Local Green Space**

Step 1: May 2023 – July 2023 All submissions to be received by no later than 5pm Friday 14th July 2023

Submissions are sought from the Parish/Town Councils and from resident’s associations in Bath. If Parish/Town Council meetings are taking place after this date Parishes may wish to submit spaces subject to formal ratification at the next meeting of the Parish/Town Council.

Step 2: (July – August 2023)

All results are logged and mapped onto an excel spreadsheet by B&NES and all relevant data contained within the submitted pro-forma is added. A desktop evaluation is undertaken to evaluate the sites to ensure that they meet the NPPF criteria.

Step 3: (August - September 2023)

Information on the officer’s evaluation is sent out to the relevant parties. If necessary, additional information and/or evidence can be requested with appropriate deadlines.

Step 4: (August - September 2023)

Landowners are contacted at this stage which is in accordance with Planning Guidance (para 19, Ref: 37-019-20140306). This will provide landowners with the opportunity to make comments prior to inclusion in the Local Plan Options document.

Step 5: (Autumn 2023)

Recommendations are put into the Options consultation document, everyone in the district will be given the opportunity to make comments.

**Local Green Space Designation Pro-Forma**

|  |  |
| --- | --- |
| **Site name/ Green Space Reference:**  |  |
| **Ward / Parish:** |  |
| **Site Address:****(coordinates if known****X / Easting** **Y / Northing****OS Grid Reference)** |  |
| **Landowner (if Known):**  |  |
| **Is the owner of the site aware of the potential designation?****Do they support the****designation? (Sites may be designated as Local Green Spaces, even if there are objections from the site owners)** |  |
| **Existing Planning Designations/ Planning history of the site (if known)** |  |
| **Nominated By:**  |  |
| **Map:** | *Please add a map with a red line boundary**If difficulties arise in sourcing a map please contact* *planning\_policy@bathnes.gov.uk* |
| **Description of green space (I.e., existing use/ condition, size etc):**  |  |

**All proposed spaces must meet the criteria 1-4 and at least one sub section of no.5 in table 1.**

**Table 1:**

|  |  |
| --- | --- |
| **Criteria Explanation of criteria / evidence prompts** | **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. | Is the space the subject of a planning permission for development?*Prompts:**“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.”**(Fill in as appropriate)* |
| 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 aspart of the allocated development | Is the space allocated or proposed to be allocated in a Local or Neighbourhood Plan?*Prompts:** *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.*
* *The National Planning Policy Guidance 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. The space should be capable of enduring beyond the plan period.”**(Fill in as appropriate)* |
| 3. | The space must not be an extensive tract of land and must be local in character | Designated spaces would normally be contained with clearly defined edges.*Prompts:** *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?*
* *Is the proposed space larger than other areas of land in the vicinity? Is it contained with clearly defined edges?*
* *How does the space connect physically, visually and socially to the local area?*
* *Blanket designation of open countryside adjacent to settlements is not appropriate.*

*(Fill in as appropriate)* |
| 4. | The space must be within close proximity to the community it serves | *Prompts:**The space would normally be within easy walking distance of the community it serves. How close is the space to the community it serves (articulate as distance not time)?**(Fill in as appropriate)* |
| 5. | The space must be demonstrably special to the local community (see example criteria below) | Blanket designation of all/most green areas or open space within an area is not appropriate. The space must be demonstrably special. |
| 5a. | The proposed space is of particular local significance because of its beauty | *Prompts:** *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.*
* *How is the proposed space of particular local significance, in respect of its beauty?*
* *Is the space covered by other landscape or townscape designations? (e.g. Area of Outstanding Natural Beauty or Conservation Area)*
* *Does the space have a literature or art connection?*

*(Fill in as appropriate)* |
| 5b. | The proposed space is of particular local significance because of its historicsignificance | *Prompts:** *How is the proposed space of particular local significance, in respect of its historic significance?*
* *Does the proposed space or elements of the space have local historical significance?*
* *Are there any historic buildings or structures in the space? (e.g. listed building or scheduled monuments)*
* *Are there any important historic landscape features on the space? (e.g. veteran trees or old hedgerows)*
* *Does the space have a historic literature or art connection?*

*(Fill in as appropriate)* |
| 5c. | The proposed space is of particular local significance because of its recreational value | *Prompts:** *How is the proposed space of particular local significance, in respect of its recreational value?*
* *What variety of recreational activities does the space support? (e.g. the space is used for playing sport and/or informal recreation)*
* *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*

*(Fill in as appropriate)* |
| 5d. | The proposed space is of particular local significance because of its tranquillity | *Prompts:** *Green spaces may also 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?*
* *How is the proposed space of particular local significance, in respect of its tranquillity?*

*(Fill in as appropriate)* |
| 5e. | The proposed space is of particular local significance because of its richness of wildlife | *Prompts:** *How is the proposed space of particular local significance, in respect of its richness of wildlife and is evidence available to demonstrate this?*
* *Is the proposed space formally designated for its wildlife value? (e.g. is it a SSSI, SNCI or Local Nature Reserve).*
* *Are any important habitats or species found in the space?*
* *Does the proposed space support species of fauna or flora protected under the Wildlife & Countryside Act 1981 (as amended), Countryside and Rights of Way Act 2000 or Habitat Regulations 2010, species and habitats listed on the 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 & Rural Communities Act 2006 (Priority Species and Habitats)*
* *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 invertebrate?*
* *Does the proposed space support irreplaceable habitats such as ancient semi-natural woodland and veteran trees?*
* *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?*

*(Fill in as appropriate)* |
| 5f. | Are there any other reasons why the proposed space has a particular local significance for the local community? | *(Fill in as appropriate)* |

Alternatives to Local Green Space Designations

If during the process it becomes evident that the site is not appropriate for local green space

designation, there are other options that can be investigated.

**Agreements with land-owners**

It may be possible for local communities to reach either formal or informal agreements with

the owner of the site to ensure access to the site for local people. This may be an

appropriate option where the site owner has a long-term connection with the local area, for

example the owner of a large historic estate. It may be possible for the land-owner to

dedicate the site as "open access land”.

<https://www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam>

**Community Purchase**

In some instances, local communities have purchased important sites to ensure that they

remain in community control in perpetuity. The ownership can lie with the Town or Parish

Council or with a specific trust.

<https://www.gov.uk/government/get-involved/take-part/take-over-a-local-pub-shop-or-green-space-for-the-community>

**Assets of Community Value**

The Community Right to Bid gives community groups a fairer chance to prepare and bid to

buy community buildings and facilities that are important to them. This could include village

shops, pubs or allotments. The right covers private as well as public assets. It is important to

nominate land and buildings to be part of the register of „assets of community value", which

is held by the Local Authority (Cotswold District Council). If something on this register is

offered for sale, the community then have up to six months to prepare a bid.

<https://mycommunity.org.uk/understanding-community-asset-transfer>