

Tunbridge Wells Borough



Tunbridge Wells Borough Council

# Local Green Space Designation Methodology

July 2019



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# 1.0 Introduction

Tunbridge Wells Borough Council recognises the benefits that green and open spaces have for the physical and mental health and wellbeing of people in the borough and the value communities place upon them. This is to be reflected in the Council's new Local Plan, which is to guide development from 2016 to 2036.

Under the 2006 Local Plan, Tunbridge Wells Borough Council designated various types of green space under policies for nature conservation and landscape/townscape character or amenity reasons. Since 2012, local authorities, as part of Plan-making, have been able to designate green areas and open spaces as Local Green Space in order to afford them a higher level of protection provided they are of particular importance to local communities.

Local Green Space designation was introduced in the National Planning Policy Framework (NPPF) in March 2012. This designation can only be made in Local Plans or Neighbourhood Plans and, once designated, Local Green Spaces receive protection broadly consistent with national Green Belt policy.

This document sets out the Council's intended approach to identifying, assessing and designating sites as Local Green Spaces across the borough of Tunbridge Wells. It outlines the national and local policy position for Local Green Spaces and sets out the criteria and step by step process for Local Green Space designation.

## **Revisions:**

**This July 2019 revised version of the document has been produced to reflect the current stage in the Local Plan process and therefore in some places will differ from previous draft versions.**

# 2.0 Policy Context

## National Policy

2.1 Paragraph 99 of the NPPF states the following with regard to the role and purpose of Local Green Space:

*"The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should 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 updated, and be capable of enduring beyond the end of the plan period"*

2.2 Paragraph 100 of the NPPF outlines that Local Green Space designation should only be used where the green space is:

- *"in reasonably close proximity to the community it serves;*
- *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*
- *local in character and is not an extensive tract of land"*

2.3 Furthermore, paragraph 101 of the NPPF states that "Policies for managing development within a Local Green Space should be consistent with those for Green Belts."

2.4 The National Planning Practice Guidance (NPPG), published by the Government in March 2014 ([see NPPG Guidance on Local Green Space Designation](#)), provides further guidance on Local Green Space designation. With regard to areas already protected by an existing designation, the NPPG states that "different types of designations are intended to achieve different purposes. If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space."

2.5 Consequently, it has been considered by the Council that Common Land, Village/Town Green, Ancient Woodland, Local Nature Reserves and Site of Special Scientific Interest (SSSI) designations, as well as National Trust, Woodland Trust, and Forestry Commission owned sites, generally provide sufficient protection in managing development and therefore reduces the need for further designation as a Local Green Space; however, there may be exceptions owing to site-specific circumstances.

- 2.6 In addition, the following key sites which are either Council-owned or Common Land are not to be designated as Local Green Space as they are well known and sufficiently protected:
- Tunbridge Wells and Rusthall Common;
  - Southborough Common;
  - The Grove;
  - Grosvenor and Hilbert Park;
  - Dunorlan Park; and
  - Calverley Grounds.
- 2.7 Applying the above guidance, it may be the case that each settlement has a number of sites that are worthy of consideration. Following the criteria-based assessment process detailed in this document, however, not all would likely qualify for formal designation as a Local Green Space.

## Local Policy

- 2.8 Tunbridge Wells Borough Council is currently producing a new Local Plan which will guide development in the borough from 2016 to 2036.
- 2.9 As part of this new Local Plan process, green and open spaces in the borough have been proposed for Local Green Space designation. The step by step process for Local Green Space Designation can be found in section 4 of this document.
- 2.10 In summary, the designation process begins by identifying green and open spaces across the borough through a variety of sources before assessing them against the designation criteria found in section 3 of this document. Alongside this, a draft Local Green Space development management policy has been prepared with mapping of the sites recommended for designation that will in due course be transposed to the policy maps of the new Local Plan.
- 2.11 Prior to the regulation 18 public consultation on the Plan, landowners of those sites proposed for Local Green Space designation will be contacted in order to make them aware of the proposals while informing them of the opportunity to comment during the consultation period. After both the regulation 18 and 19 public consultations have been carried out and comments received and considered, amendments to the Local Green Space proposals may be made prior to formal submission of the Plan.

## **3.0 Criteria for Assessing Local Green Space**

- 3.1 To qualify as a Local Green Space, a site should meet the criteria set out in the NPPF and further detailed in the NPPG. These criteria are not specific, but act as guidance, which should then be interpreted at a local level. These five criteria are detailed below and were used to create a site assessment form as shown in Appendix 1 of this document. Successfully meeting all five criteria does not, however, guarantee Local Green Space designation as the site may already be sufficiently protected by existing designations as aforementioned.

### **Criterion 1: Land is not subject of a planning permission for development**

- 3.2 In line with the NPPG, Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the designation would be compatible with a planning permission that includes provision for Green Space or where planning permission is no longer capable of being implemented.

### **Criterion 2: The space is not allocated or proposed for development in the Local Plan**

- 3.3 Paragraph 99 of the NPPF, and guidance in the NPPG, states that Local Green Space designation should be consistent with the local planning of sustainable development in the area and complement investment in sufficient homes, jobs and other essential services. In particular, Plans must identify sufficient land in suitable locations to meet identified development needs, and therefore the Local Green Space designation should not be used in a way that undermines this aim of Plan making. The only exception is if it can be shown that the Local Green Space could be incorporated within, or already forms a part of, the site as part of the allocated development. The NPPF further details that the space should be capable of enduring beyond the Plan period.

## **Criterion 3: The space is not an extensive tract of land and is local in character**

- 3.4 The NPPG outlines that Local Green Space designation should only be used where the green area is not an extensive tract of land. Blanket designation of open countryside adjacent to settlements will not be appropriate.
- 3.5 All sites will be judged on their merits, but as a guide, and in reference to Natural England's Accessible Natural Green Space Standards (ANGSt) ([view the Accessible Natural Green Space Standards](#)), a site of over 20ha (50 acres) is likely to be considered an extensive tract of land and therefore not suitable for designation as a Local Green Space.
- 3.6 Consideration will be given to the contribution the site makes to the visual amenity and the physical form and layout of the settlement. It is considered that to warrant designation, a site will be largely self-contained with clearly defined edges.

## **Criterion 4: The space is within close proximity of the community it serves**

- 3.7 Guidance in the NPPG states that the proximity of a Local Green Space to the community it serves will depend on local circumstances, including why the green area is seen as special. For example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.
- 3.8 As a guide, the Council will use Natural England's ANGSt as detailed above when assessing the locality of a proposed Local Green Space site. This means that a Local Green Space less than 20ha should normally be located within 2km (1.25 miles) of the community it serves, and smaller sites of 2ha (5 acres) or less should normally be located within 300m (325 yards) of the community it serves.

## **Criterion 5: The space is demonstrably special to the local community and holds particular local significance**

- 3.9 In accordance with the NPPG, Local Green Spaces may be designated where such spaces are considered demonstrably special to the local community, whether in a village or in a neighbourhood of a town.
- 3.10 The Council will assess this first on the basis of any evidence provided by the local community where it has been submitted and secondly where this evidence has been provided against the sub-criteria (NPPF, para 100 (b)) below ([see NPPF](#)

[2019](#)). Underneath each sub-criterion, examples are given, as guidance, of the factors that may be taken into account when considering how a proposed site may potentially meet the sub-criteria for designation as a Local Green Space.

3.11 Ultimately, the Council will consider any evidence submitted against the sub-criteria and come to a judgement as to whether or not to propose a site as Local Green Space giving clear reasons as to why.

**i) The proposed space is of particular local significance because of its beauty**

- Does the space contribute to the visual attractiveness of the townscape or character/setting of the settlement?
- Is the site specifically mentioned in any relevant landscape character assessments as a particular point of interest or does it contain features that are characteristic of the area?
- Does the site contribute to the setting of a historic building/place or other special feature?
- Is the site highlighted in literature or art (e.g. the site is mentioned in a well-known poem or shown in a famous painting)?
- Are there valued views of the site or does it afford particular views?

**ii) The proposed space is of particular local historic significance**

- Are there any historic buildings or heritage assets on the site (e.g. listed buildings; scheduled ancient monuments; registered parks and gardens; ancient routeways)?
- Are there any important historic landscape features on the site (e.g. old hedgerows; historic ponds or historic garden features)?
- Did the site play an important role in the historic development of the village or town?
- Did any important historic events take place on the site?
- Do any historic rituals take place on the site (e.g. maypole dancing)?

**iii) The proposed space is of particular local significance because of its recreational value**

- Is the site used for playing sport?
- Is the site used by the local community for formal and/or informal recreation? If the site is a school's private playing field, then is the site either publicly accessible or visually prominent?
- Are the public able to physically access the site?

**iv) The proposed space is of particular local significance because of its tranquillity**



- Do you consider the site to be tranquil (e.g. there are no roads or busy areas close by)?
- Is the site within a recognised tranquil area (e.g. within the Campaign to Protect Rural England's tranquillity maps)?

**v) The proposed space is of particular local significance because of its richness of wildlife**

- Is the site formally designated for its wildlife value (e.g. a Local Wildlife Site)?
- Does the site contain notable biodiversity interest or value and in particular are there notable species or habitats present (e.g. the site may be an important wildlife corridor or provide a buffer to other higher value areas)?
- Is the site part of a long-term study of wildlife by members of the local community?

# 4.0 Local Green Space Designation Process

4.1 This section outlines the step-by-step process undertaken for identifying and ultimately designating sites as a Local Green Space in Tunbridge Wells Borough Council's new Local Plan. The Government has not set out a standard methodology or template for the process of designating sites as Local Green Space and therefore the designation methodology below has been prepared by the Council after reviewing other local authority examples and in accordance with the latest NPPF and NPPG.

## Step 1: Identify Green and Open Spaces

4.2 The first step was to identify a list of sites to assess as potential Local Green Spaces. There were a variety of sources of information that were used in this process:

- Tunbridge Wells Borough Landscape Character Assessment;
- The Council's Green Infrastructure Plan;
- Review of adopted Proposals Maps (from either the 2006 Local Plan and/or 2016 Site Allocations Development Plan Document) showing formally designated sites, such as Sites of Local Nature Conservation Value, Local Wildlife Sites, Roadside Nature Reserves, etc.;
- Conservation Area Management Plans, parish Plans or town and village Design Statements;
- Consultations with stakeholder groups as part of the Local Plan process; and,
- Local knowledge.

4.3 Identifying and proposing sites for Local Green Space designation in the new Local Plan was done on a parish-by-parish basis. A site assessment form (found in Appendix 1) as part of a draft version of this methodology document was produced and circulated to parish and town Councils in March 2017 to aid the assessment process by seeking proposals for and information on sites. The site assessment form is structured as follows:

- Table 1 seeks to clarify site details, including the name of the site and the area to which it relates. Some areas of land will have well defined names understood by the community, but other areas will not and in these circumstances the name adopted is descriptive of the locality. The site area may be well defined but again there may be occasions when the boundaries are not clear and in these circumstances a site visit has helped to form a clear understanding. In formal

policy terms, the site area will be clearly defined on a map, as designations will have a planning weight once the Local Plan is adopted after examination.

- Table 2 sets out the criteria listed in the NPPF that areas should meet in order to be considered suitable for designation as a Local Green Space. It seeks to draw out what the applicant considers makes the space "demonstrably special to a local community" using the identified sub-criteria. A green space should meet at least one of these sub-criteria, although some spaces may meet more than one. All sites will be further reviewed and assessed in step 2 by the Council.

## **Step 2: Assessing Green and Open Spaces**

- 4.4 Once a list of potential sites was collated from a variety of sources, their suitability for designation as a Local Green Space was assessed against the criteria set out in Section 3 of this document. The full assessment of all proposed Local Green Space sites is included within the DRAFT Local Green Space Assessment July 2019 document. The Council has reviewed the evidence provided through the site assessment forms (if available) and has evaluated whether each site is suitable for designation as a Local Green Space or whether any additional evidence is required. If the evidence was found sufficiently robust and the site meets all the criteria necessary for designation, provided the site is not already sufficiently protected by other designations, then the site has been proposed for Local Green Space designation in the above Assessment document.

## **Step 3: Local Plan: Local Green Space Development Management Policy and Policy Maps**

- 4.5 Alongside the assessment work, a new Local Green Space development management policy has been drafted for inclusion within the Local Plan, underpinned by the methodology detailed within this document as well as the NPPF and NPPG, and which will apply to all Local Green Spaces recommended for designation. This policy links to an Appendix to the Local Plan which, resulting from the conclusion of step 2, includes a definitive schedule of all sites recommended for designation. This schedule will also include any adopted Local Green Spaces made through Neighbourhood Plans.
- 4.6 Maps for all sites are included in the DRAFT Local Green Space Assessment July 2019 document and will be transposed to the Local Plan Policy Maps in due course.

## **Step 4: Identify and Contact Landowners**

- 4.7 The NPPG clarifies that a Local Green Space does not need to be in public ownership. However, the guidance also states how the Local Planning Authority

“should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space” but also that “landowners will have opportunities to make representations in respect of proposals in a draft plan”. Tunbridge Wells Borough Council has at least twice had informal consultations with parish and town Councils in the borough to seek views and information on proposed Local Green Spaces including landownership. The Borough Council has also engaged with Neighbourhood Development Plan groups in the request for this information. Following the national guidance, the Borough Council will contact landowners prior to formal public consultation around the time the Local Plan is first made publicly available. This will ensure that landowners of sites proposed for designation are made aware that their site or sites are being proposed and will provide details on how to sign up to the Local Plan consultation portal if they wish to comment on the proposal.

## **Step 5: Consult the Community on Proposed Designations (Regulation 18 and 19 Public Consultations)**

- 4.8 The recommended Local Green Space designations will be tested through public consultation as part of the Local Plan process. Anybody can object to or support policies or sites in a Plan during the consultation process and these consultation responses must be considered. The first public consultation on the new Local Plan (Regulation 18) takes place between the 20th of September to the 1st of November 2019.
- 4.9 There will also be a further public consultation on the submission version of the new Local Plan (Regulation 19) before inspection.

## **Step 6: Examination and Adoption**

- 4.10 Any consultation responses received during either consultation should be considered and the policy wording and maps amended before the Local Plan is formally submitted for examination.

# Appendices

# Appendix 1: Site Assessment Form

Table 1: Assessment Form - Site Details

Site Details	Response
Description of site	
Address of site  (Please attach location plan on an Ordnance Survey base clearly showing site boundaries, access to the site and area that the site will serve.)	
Site area (ha)	
Current use of the land	
Owner of the site	
Is the owner aware of this application? (If yes, are they in favour of this application?)	

Table 2: Assessment Form - Criteria

Criteria	Response
<u>Land is not subject of a planning permission for development</u>  Does the proposed space have planning permission?	
<u>Space is not allocated or proposed for development in the Local or Neighbourhood Plan</u>  Is the proposed space a Local Plan or Neighbourhood Plan allocation or proposed site?	
<u>The space is not an extensive tract of land and is local in character</u>  Does the proposed space have clearly defined edges and is under 20ha in size?	

Criteria	Response
<p><u>Does the space feel local in character and scale?</u></p> <p>The space is within close proximity of the community it serves</p> <p>How close is the space to the community it serves?</p>	
<p><u>The space is demonstrably special to the local community and holds particular local significance</u></p> <p>What evidence is there to demonstrate that the space has a particular local significance with respect to at least one of the following aspects:</p>	
<ul style="list-style-type: none"> <li>• Its beauty</li> </ul>	
<ul style="list-style-type: none"> <li>• Historic significance</li> </ul>	
<ul style="list-style-type: none"> <li>• Recreational value</li> </ul>	
<ul style="list-style-type: none"> <li>• Tranquillity</li> </ul>	
<ul style="list-style-type: none"> <li>• Richness of its wildlife</li> </ul>	

**If you require this document in another format,  
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