

## **Appendix 3**

### **Local Green Space Designation**

#### **The Concept**

"Local Green Space" is a new designation created in the National Planning Policy Framework [Paras.76-78]

#### **Timing of Designation**

The opportunity to designate only comes with the establishment or renewal of a plan [para.76]. Therefore it is important to consider whether the BNDP should include any such designations and if so, which areas?

#### **General Background**

Two things to be noted about this new concept - it seems to be partly an alternative to village green designation, given the changes made to that process this year. Certain criteria must be met, and as it means that the designated land is equated to Green Belt land, it has been stated that such designation is **not** appropriate for most green or open space [para.77 of NPPF]. There is concern that it will be used generally to prevent unwanted development. The designation must be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services [para. 76 of NPPF]. It is submitted that the draft BNDP fulfills the para.76 requirement.

#### **Effect of Designation**

According to the NPPF, the future local policy of management and development of designated land would be that of Green Belt land [para.78 of NPPF]. This would prevent development except in "very special circumstances" - the NPPF states that such conditions will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations [para.88] It will allow for "provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness.... and

does not conflict with the purposes " [para.89] That will be the extent of the possible development.

It will be necessary to ensure that designation does not prevent desirable development in the future [note below that the designation is assumed to be for longer than even the plan period].

### **Criteria to be Met for Designation**

**(1) *Must be in reasonably close proximity to the community it serves;***

**(2) *be demonstrably special to a local community and hold local significance, for example beauty; historic significance; recreational value [including as a playing field]; tranquility; or richness of its wildlife; and***

**(3) *be local in character and not an extensive tract of land*** [para.77 of NPPF].

There is not guidance as to what is considered "close proximity" and "not extensive" so a certain amount of informed judgment and reasoning may be required, based on the background information stated above. Some local planning authorities have put actual figures on the distance to be used under (1) [Open Spaces Society Information Sheet No.C20 - Local Green Space Designation] but this does not seem to have been addressed in VAP [it may be in the Delivery Strategy, but overall the general policy has been to delegate this sort of question to NDPs]. So say a designation of the area surround the canal at around 18 hectares would have to be well-supported by strong use of the above criteria to prevent allegations that it was so designated to limit or prevent alternative development [so consideration may have to be given to the overall land allocation under the NDP to ensure that there is reasonable alternative provision].

At least one local planning authority has also stated that sites should not be so designated when they are already protected by other devices such as village green status [Leicestershire Councils- Green Spaces in Leicester & Leicestershire]. Alternatively such alternative protection/designation might

be used as evidence to support the LGS designation [Open Spaces Society; above].

**Ownership & Consultation**

Perhaps surprisingly, there is no mention of consultation with owners prior to designation; nor is there anything to suggest that it can only be used for land in public ownership. Given the Town Council's obligations as a public body under the Human Rights Acts 1998, it would be strongly advisable to consult the land-owners prior to final designation, given the significant constraint on the development rights of the land. Some suggestion has been made that it would ensure that the designation was viable. A more compelling argument would be that it meets the above Human Rights obligations.

**Site Designations**

The Steering Group of the BNDP considered this matter at the Buckingham Town Council Planning Committee meeting of 7<sup>th</sup> October, 2013. It was felt that many valuable green spaces were already protected as noted above and that the opportunity should be taken to protect more vulnerable areas. The area around that newly-watered canal was considered, but it was felt that the designation might be too constraining on possible future development as a leisure area [see above re Green Belt development criteria that would apply].

The following sites were selected for designation as Local Green Spaces in the Buckingham Neighbourhood Plan.

Land	Proximity	Feature e.g. beauty, wildlife etc.	Owner	Comment	Special to the community.
Ford Meadow Football pitch	Proximity to southern residential area.	Playing field [full scale football pitch] valued for sports facilities	University of Buckingham	Flood zoning may prevent development anyway.	Mentioned repeatedly for retention in public consultation. Retention of green space close to river,

		when there is a demonstrable need for them in Buckingham; Recreational; Acts as a flood plain.			and retention of sports facilities within town [even if privately held]
Mount Pleasant open area	Proximity to southern edge residential area.	Recreational; general amenity and wildlife areas in residential area not well-served.	AVDC		There is a lack of amenities in this area in general and it is some distance from similar facilities elsewhere.
March edge	Proximity to residential area of Linden Village	Green corridor; tranquil.	Deloitte as receivers for original developer.		Desire to maintain green corridor on both sides of the river to provide green infrastructure.
Overn Avenue Playing Field	Proximity to residential areas surrounding Western Avenue	Recreational and play area	AVDC		Desire to ensure play areas to western residential area.
Land	Proximity	Feature e.g. beauty, wildlife etc.	Owner	Comment	Special to the community.
Stratford Fields	Proximity to town centre; Linden Village; Page Hill	Playing field [full scale football pitch] valued for sports facilities when there is a demonstrable need for them in Buckingham; provides a green approach to the town	AVDC leased to Buckingham Athletic Football Club.		Desire to retain full football pitch; facilities in the town centre

		centre on A422 Stratford Road; acts as a green infrastructure allowing access to and from Bourton Park and Heartlands.			
Land behind Castle House	Close proximity to Western Avenue residential area; houses on West Street and town centre.	Tranquility & Wildlife	AVDC		Provides green space and green corridor between residential area; long stay car park and town centre; wildlife close to town centre.
Land	Proximity	Feature e.g. beauty, wildlife etc.	Owner	Comment	Special to the community.
Land at Verney Close adjacent to River	Proximity to main car park and town centre	Wildlife area within town centre	BCC		The area contains footpaths connecting main car park, town centre; library and bridge to skate park & Play area and southern residential areas; as well as riverside footpaths and access to Bourton Park; opportunities for spotting common wildlife such as birds and squirrels; ladybirds; butterflies etc for young children in particular.
Riverside Walk Extension	Proximity to new allocated residential areas &	Access to River Great Ouse	Unknown at present	This would allow potential extension to	The Riverside Walk is held in high regard. Public consultation indicated a strong

	committed residential development.			existing Riverside Walk.	desire to extend this facility wherever possible. This would safeguard the potential in furtherance of Policy CLH 11.
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