



Report To: Planning Portfolio Holder's Meeting
Lead Officer: Director, Planning and New Communities

10 March 2015

South Cambridgeshire Local Plan – Responding to the Local Green Space landowner consultation

Purpose

1. To report the responses received by the Council following a consultation carried out with the owners of land proposed as Local Green Space in the draft South Cambridgeshire Local Plan.
2. This is a key decision because proposed local green spaces have been included in the draft Local Plan and are found district-wide. It was first published on 2 December 2014 in the Forward Plan.

Recommendations

3. It is recommended that the Planning Portfolio Holder agrees the following, to:
 - i) note the representations received during the consultation with landowners of Local Green Space proposed in the draft Local Plan as set out in Appendix E and to forward these late representations to the Inspector examining the South Cambridgeshire Local Plan
 - ii) agree the proposed Council response to the representations received, to be provided to the Local Plan Examination Inspector as set out in Appendix D.
 - iii) put forward to the Local Plan examination Inspector the following proposed modifications to the Submission South Cambridgeshire Local Plan, that would be considered at the appropriate part of the examination and be subject to public consultation alongside any other modifications at an appropriate time:
 - a. To include a new appendix to the Submission Local Plan to provide a numbered list of the Local Green Space sites included within the plan as set out in Appendix B of this report.
 - b. To amend the Policies Map in respect of seven Local Green Space sites as set out in paragraph 20 to 34 and shown on maps included in Appendix E.

Reasons for Recommendations

4. Following the publication of new Government guidance related to the designation of Local Green Space (LGS) in March 2014, too late to inform the submitted Local Plan, the Council carried out an additional round of consultation specifically with the owners of land proposed as LGS in the local plan. These representations will be forwarded to the Inspector examining the local plan. As a result of some of the objections received, a small number of modifications are proposed in respect of seven LGS sites included in the submitted Local Plan to address clear anomalies.

Background

5. Within the villages of South Cambridgeshire there are undeveloped areas of land that are important to the amenity and character of these rural settlements and should be protected from development. In the Council's existing plans such areas that are within villages have been identified as Protected Village Amenity Areas (PVAA). The National Planning Policy Framework (NPPF) introduced a new designation – Local Green Space (LGS), which would enable green areas of particular importance to local communities to be designated, and rule out development other than in very special circumstances.
6. During the issues and options consultations carried out whilst the Local Plan was being prepared there was support for the inclusion of a policy on LGS, particularly from parish councils and local communities. The Council invited sites to be proposed for consideration as LGSs and at each stage of consultation of the plan (Issues and Options 1 in 2012 and Issues and Options 2 in 2013) sites were submitted for assessment by parish councils, local community groups and individuals. In total some 270 sites were considered for designation as LGS. The criterion used by Council officers in assessing the sites is based on the guidance provided in the National Planning Policy Framework. An extract from the Draft Final Sustainability Appraisal is included in Appendix A of this report which indicates how the Council interpreted the particular criteria in its assessment work.
7. Potential LGS sites proposed during the Issues and Options 1 consultation were assessed and included in the next consultation carried out in January/February 2013 - Issues and Options 2. Further sites were proposed during this consultation and an extension to the consultation deadline was specifically given for Parish Councils to propose sites within their area.
8. The Proposed Submission Local Plan contained 172 LGS sites and there was an opportunity during the consultation of this plan in the summer of 2013 for comments to be made about the policy for LGS and about the designated sites. The audit trail for Chapter 6 of the draft Local Plan contains a summary of the representations received during these consultations (see Annex A of the Draft Final Sustainability Appraisal – pages A438 –A483 - the link to this annexe is item 4 of the Background Papers at end of this report)
9. The draft Local Plan that was submitted for examination in March 2014 contained both a policy for PVAAs and one for LGSs. Sites have been designated as LGS across the district and are identified in the Policies Map submitted with the draft Local Plan. An evidence paper for LGSs and PVAAs was submitted with the Local Plan explaining why the Council decided to include both policies in the plan, what consultation was carried out relating to these matters, how sites were put forward for assessment and how the LGS sites were identified for inclusion in the plan (see the Draft Final Sustainability Appraisal in Annex A, Appendix 5 - the link to this evidence paper is at item 5 of the Background Paper at the end of this report)
10. In the same month as the Local Plan was being submitted for examination the Government published the National Planning Practice Guidance (NPPG) which included more advice on LGS. The Council is aware that it must take into account national guidance for the Local Plan to be found sound and therefore considered in detail the changes resulting from the publication of the NPPG and how these would impact on the soundness of the plan.

11. The NPPG in the section relating to LGS states the following -

Does land need to be in public ownership?

A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.

*(Paragraph 018 (Reference ID: 37-018-20140306)
Revision date: 06 03 2014*

12. The Council carried out extensive public consultation during the preparation of its draft Local Plan and received 424 comments on proposed Local Green Spaces including some from landowners. However with the publication of the new guidance relating to consultation specifically with landowners of LGS included in the NPPG the Council decided to ask the inspector appointed to examine the draft Local Plan for her view on the appropriateness of providing an additional opportunity for landowners to make comments on proposed LGS which was on their land.
13. The Local Plan inspector has endorsed this consultation but it was emphasised to the Council that the NPPG was considered to be an exceptional circumstance that justified this targeted consultation. She advised that it was only landowners of proposed LGS who should be able to submit late representations and the Council should not widen the remit to allow other respondents any further opportunity to make late representations on other aspects of the plan.
14. The Council obtained the landownership details of all 172 LGS sites included in the draft Local Plan from the Land Registry. A unique reference number was given to each LGS site. It is proposed that this list of LGS sites be included as an appendix to the Local Plan to provide clarity about the location of specific LGS sites included in the plan (Appendix B of this report). A minor modification would be required to be made to the Local Plan.
15. The consultation with landowners ran from 17 October until 1 December 2014. Letters were sent out to all the landowners who owned all or part of any site proposed as a LGS in the Submission Local Plan. The individual letter to each owner included a list of the specific LGS sites owned by them with the site reference number and a map showing the designated sites within the relevant villages. This was to ensure that the owner was fully aware of the extent of the sites and had the opportunity to make comments.

Results of the consultation

16. During the six week consultation 113 submissions were made to the Council which comprised 61 objections and 52 supports. A summary of all the representations received is set out in Appendix C.
17. Of the 61 objections, 32 were from landowners requesting that the whole of a LGS site be removed from the draft Local Plan, and 29 representations from owners requesting amendments be made to the boundary of the LGS. Appendix D is a schedule that sets out each stage of assessment through the plan making process for

each of these sites. This information is extracted from the evidence document for LGS and PVAA and from the Audit Trail for Chapter 6 (referenced in paragraphs 8 and 9 of this report). The final two columns of the schedule provide a summary of the objections received through this consultation, and a draft response from the Council that would be provided to the Examination Inspector.

18. Officers consider that the assessment of all the sites proposed as LGS was carried out in a robust manner, following the national guidance that was available at that time in the NPPF. Following the publication of the NPPG the methodology used to assess the sites has been reviewed and the new guidance taken into account by carrying out the consultation with landowners. Unless new issues have been raised during the consultation with the landowners that affect the assessment or it has been shown that circumstances have changed it is recommended that the site designations should remain in the plan and any outstanding objections be addressed through the Local Plan examination process.
19. There are 7 sites where a change is recommended to the LGS as a result of representations received, which address anomalies. Subject to the agreement of the portfolio holder these modifications will be proposed to the Inspector.

Proposed changes following the consultation

20. NH/12-022 – Camping Close, Bourn - The site was originally proposed by Bourn Parish Council during the Issues and Options 2 consultation in 2013. The landowners are concerned that the extent of the LGS designation is contrary to the guidance in the NPPF. The land is already protected as it is within the conservation area and in the flood plain. The owners consider that by having this designation on their land it could impact on the future uses they may wish to carry out affecting the economic viability of their farm. They are supportive of the LGS policy but have taken the opportunity during the consultation to submit a revised boundary for the site. If the boundary is not amended they have requested that the whole LGS designation be removed from their land.
21. The main area of special character is the open area adjacent to Bourn Brook which is a well used local route for informal recreation. The wider open field objected to by the landowner has less special character. A smaller site would be more acceptable to the landowners who are supportive of the policy but not the scale of the original LGS proposed for their land. The Parish Council is supportive of the amendment.
22. Recommendation: Amend the boundary of the Camping Close, Bourn LGS to include just the area adjacent to Bourn Brook (see Appendix E Map 1).
23. NH/12-050 - Land in front of Village College, Cottenham – This site includes part of the front garden of a house adjacent to Cottenham Village College. The owner has requested that the boundary of the LGS be amended to exclude this residential land. The residential property has a different character to the adjoining open green area in front of the village college. It forms one of a row of residential properties. A minor change to exclude this and adjoining front gardens would better reflect the area of special character and would not undermine the protection of this wider area.
24. Recommendation: Amend the boundary of the Village College, Cottenham LGS to exclude the front gardens of adjacent residential properties (see Appendix E Map 2).
25. NH/12-094 - Village Orchard, Kingston – Kingston Parish Council submitted this site for inclusion as a LGS during the Issues and Options 2 consultation in 2013. The map

provided included an error. The northern boundary of the 'Village Orchard' was defined to include a private house and garden which lies immediately to north of the orchard. The owner of the house and garden has objected to its inclusion in the LGS. This property has never been part of the 'Village Orchard' and the Parish Council has submitted a representation requesting that this house and garden be excluded from the designation. An amendment to the boundary is appropriate to correct this error.

26. Recommendation: Amend the Village Orchard, Kingston LGS to exclude the private house and garden adjacent to the "Village Orchard" (see Appendix E Map 3).
27. NH/12 – 098 Glebe Land, Linton – Although no representation was made by the landowner, the Council was made aware during the consultation that this site in Linton had been identified incorrectly on the Policies Map. Linton Parish Council originally submitted the site for consideration during the Issues and Options 2 consultation in 2013, described as an area by the river and used by the local community for informal recreation. However, the boundary provided by the Parish Council and shown on the submitted Policies Map comprises a private house and garden, and not the adjacent area of special character alongside the river, which is shown on the Policies Map as forming part of a wider PVAA. The Parish Council has provided the Council with the boundary it intended for the site. This involves deleting the current LGS boundary in its entirety and instead designating the area to the west that lies adjacent to the river as LGS. The current PVAA designation would then be removed from the new LGS.
28. Recommendation: Delete the existing boundary of the Glebe Land, Linton LGS. Replace with the correct LGS area adjacent to the river and remove the PVAA designation from the LGS (see Appendix E Map 4).
29. NH/12 - 115 -Stockbridge Meadows, Melbourn – This site was submitted for consideration as a LGS by Melbourn Parish Council in the Issues and Options 2 consultation in 2013. An objection has been received from the owner of a triangle of land included on the southern edge of the meadow. The purpose of this LGS is to identify and protect the Riverside Park. The site that received planning permission as a public open space in 2005 to form the Riverside Park is slightly different from the LGS shown on the Policies Map. It excluded the objector's triangle of land and included an additional small parcel of land on the north-eastern edge of the meadow. The Parish Council has confirmed that it supports a revised boundary to reflect the planning permission boundary.
30. Recommendation: Amend the Stockbridge Meadows, Melbourn LGS boundary to exclude a triangle of land on the southern boundary and include an additional area to the north (see Appendix E Map 5).
31. NH/12 - 143 Millennium Copse , Sawston – A representation was received from the owners of the western section of this site indicating that a nursery had been built on their land in 2000 and therefore in their opinion could not be designated as LGS. The designated area incorrectly extends across the nursery site, beyond the wooded area of the Copse. It is appropriate to amend the western boundary to this area.
32. Recommendation: Amend the Millenium Copse, Sawston LGS to exclude the nursery site (see Appendix E Map 6).
33. NH/12- 167 Barracks Frontage, Waterbeach – Defence Infrastructure Organisation objects to designation of the site, as it falls within the Area Action Plan area for the new town, and could be important for creating sustainable transport links. DIO says

that the area should be considered as part of the wider masterplan. The LGS does lie within the area proposed to be covered by an Area Action Plan for the new town. On reflection, it is considered that the AAP process is the appropriate mechanism for deciding the future of land within its boundary and the LGS should be deleted from the Local Plan Policies Map.

34. Recommendation: Delete the Barracks Frontage, Waterbeach LGS (see Appendix E Map 7).

Options

35. The Portfolio Holder could:
- (a) Approve the recommendations as set out and submit to the Inspector for consideration.
 - (b) Decide to submit the late representations received to the Inspector examining the Local Plan with no responses provided from the Council and no changes proposed to the submitted local plan. It would then be for the Inspector to consider the objections made to the LGS sites proposed without the benefit of the view of the Council.
 - (c) Decide not to submit the late representations – however the Inspector had endorsed this targeted consultation as being consistent with the NPPG in respect of designating LGS.

Implications

36. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

Legal

37. The additional consultation is consistent with the NPPG, which was published too late to inform the submitted Local Plan.

Risk Management

38. If the soundness of the draft Local Plan was challenged as it did not comply with national planning guidance there was a risk that there would be delay in the district having an adopted local plan.

Consultation responses (including from the Youth Council)

39. The report is setting out the results of the targeted consultation that was carried out with owners of land where there is a proposal for LGS on all or part of their land within the draft Local Plan. The views of Parish Councils and local groups have been sought as appropriate in preparing this report.

Effect on Strategic Aims

Aim 1 - Engagement: engage with residents, parishes and businesses to ensure we deliver first class services and value for money

The additional consultation with landowners gave them an opportunity to comment on the LGS proposals within the Local Plan for the district. This engagement increases awareness of these proposals within the plan.

Aim 3 – Ensure that South Cambridgeshire continues to offer an outstanding quality of life for our residents.

By including a policy in the Local Plan for LGS this will ensure that areas of the district that are valued for their particular local significance by the local community are protected from development.

Appendices

Appendix A – The criteria for assessing LGS

Appendix B – List of Local Green Space proposed in the Submission Local Plan

Appendix C - Summary of representations received during 2014 consultation.

Appendix D – Schedule of sites where objections received during 2014 consultation.

Appendix E – Maps of LGS where changes are proposed.

Background Papers

1.National Planning Practice Guidance

<http://planningguidance.planningportal.gov.uk/>

2.National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

3.Proposed Submission Local Plan

<http://scambs.jdi-consult.net/localplan/readdoc.php?docid=224>

4. Draft Final Sustainability Appraisal in Annex A – Audit Tables – Local Plan Chapter 6:

Protecting and Enhancing the Natural and Historic Environment –

Policy NH/11: Protected Village Amenity Areas –Pages A438 – A474

Policy NH/12: Local Green Space – Pages A475 – A483

[https://www.scambs.gov.uk/sites/www.scambs.gov.uk/files/documents/Chapter%206%20%20Protecting%20and%20Enhancing%20the%20Natural%20and%20Historic%20Environment%20\(audit%20trail\).pdf](https://www.scambs.gov.uk/sites/www.scambs.gov.uk/files/documents/Chapter%206%20%20Protecting%20and%20Enhancing%20the%20Natural%20and%20Historic%20Environment%20(audit%20trail).pdf)

5.Draft Final Sustainability Appraisal in Annex A, Appendix 5 – Evidence paper on LGS and PVAAs

<https://www.scambs.gov.uk/sites/www.scambs.gov.uk/files/documents/Appendix%205%20-%20Evidence%20paper%20for%20Local%20Green%20Spaces%20and%20Protected%20Village%20Amenity%20Areas.pdf>

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