

# **BATH AND NORTH EAST SOMERSET PLACEMAKING PLAN**

## **MATTER 5:**

## **BUILDING STRONG AND VIBRANT COMMUNITIES**

**ON BEHALF OF: LINDEN HOMES STRATEGIC LAND**

### **Pegasus Group**

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**1. Issue: Whether the relevant proposed policies are positively prepared, justified, effective and consistent with national policy in the context of the adopted CS.**

**1.1 Q4. Is the approach to the designation of Local Green Spaces (Policy LCR6A) sound and is there justification for those that are designated?**

**In particular:**

**(a) Are the following allocations justified?**

**Millers Walk, Bathampton**

**Adjacent to Bramble Cottage, Farmborough**

**Parkers Mead, East Harptree**

**Land south of Lower Road, Hinton Blewett,**

**Frederick Avenue / Albert Ave, Peasdown St John.**

**(b) Is the exclusion of the following sites justified?**

**Land behind Beechen Cliff in the city of Bath**

**Land at Breaches Gate, East Keynsham**

**Land south of Staddlestones, Midsomer Norton**

**Extension of LGS18 (Land at Whitelands / Tynning, Radstock)**

**Undeveloped land on northern part of University of Bath campus.**

1.1.1 Our comments relate solely to the exclusion of an extension of LGS18 (Land at Whitelands / Tynning, Radstock). We consider that the area proposed is not justified as LGS and have set out reasons formally to the Council.

1.1.2 In September 2015 the Council invited comments from the landowner and client on the Local Green Space nomination proposed by Whitelands as identified by the red line plan attached to the letter.

1.1.3 Pegasus on behalf of the landowner and client responded to the Council and objected to any such proposal for a Local Green Space Designation to the land in question.

1.1.4 This area has been proposed by my clients for inclusion in the SHLAA as a suitable, available and deliverable site for development and that to date representations have been submitted in response to the consultation on the B&NES Placemaking Plan, (the site has some previous history in terms of being promoted in respect of the Local Plan).

1.1.5 Paragraph 77 of the NPPF states that:

**"The Local Green Space designation will not be appropriate for most green areas or open space." (my emphasis).**

- 1.1.6 It goes on to state that the designation should only be used, when the green space is in reasonably close proximity to the community it serves; is demonstrably special to a local community and holds a particular significance; and is not an extensive tract of land.
- 1.1.7 The NPPG provides further specific guidance on the designation of local green space: "*Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.*" Importantly the guidance is clear in Paragraph: 007 Reference ID: 37-007-20140306 - How does Local Green Space designation relate to development?
- "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."**
- 1.1.8 Whilst the guidance states that there are no hard and fast rules on the about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed, it does state very clearly that: Paragraph: 015 Reference ID: 37-015-20140306
- "...Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name."**
- 1.1.9 There is no justification for the Local Green Space at this location, it is contrary to the NPPF and NPPG. Such a proposal appears to be premised on the aspiration to block development rather than as a means of protecting areas of special local significance.
- 1.1.10 Local Green Space is a restrictive and significant policy designation which, when in place, would be equivalent to Green Belt designation. As such designations are specifically identified as a justification for restricting development under the terms of paragraph 14 of the NPPF. It is therefore critical that any future allocations for Local Green Space are identified only where the Council can justify these.
- 1.1.11 In this regard paragraph 76 of the NPPF is clear that identifying land as Local Green Space should therefore "*be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.*" Land should not be identified as Local Green Space where it would undermine the ability of the Council to provide for sufficient homes, jobs and other essential services. In doing so this would result in the Placemaking Plan being contrary to national policy and guidance.

- 1.1.12 The Local Green Space nomination effectively seeks to circumvent the consideration of future development opportunities, which are consistent with the NPPF and NPPG, of facilitating the delivery of sustainable development to meet identified needs. The nomination proposes an extensive area of land and appears to be premised on the basis of an objection to any future possible development which is entirely contrary to national policy and guidance.
- 1.1.13 On behalf of our clients Pegasus strongly objects to any possible Local Green Space Designation at Whitelands for the reasons set out above.
- 1.1.14 Following the consultation on the Placemaking Plan the Council produced a report in December 2015 (ref CD/PMP/DM12/4) which recommended:
- “Designate the batches as a Local Green Space Designation for its wildlife value to the local community however the remaining site is too large to be designated as it is not local in character and is an extensive tract of land.”**
- 1.1.15 We note that the Council have decided not to make any changes to the LGS (report to Full Council 23<sup>rd</sup> March 2016 Appendix 4) and that issues will be discussed at the Examination. We entirely support the Council’s decision.