

**Position Statement in relation to the Publication Stage Representation made to the North West Leicestershire Local Plan by Appleby Environment (ID ref 41) on Local Green Spaces Policy.**

**Relates to Hearing Session 8 Countryside and Open Space (16/1/2017)**

We would like to rely primarily on our previous written submission about the need for the Local Plan to include a policy for designating Local Green Spaces. This statement was supported by CPRE Leicestershire and our Parish Council. We identify the following points to indicate the issues where we would like to engage in further discussion during the hearing session.

*1. The Council's response to our submission*

As part of reporting the publication stage representations the Council made the following statement as a response to our case:

The NPPF advises that Local Green Spaces can be designated through either a local plan or a neighbourhood plan provided that they meet the specified criteria contained within the National Planning Policy Framework. It is not proposed in this instance for the Council to designate areas as Local Green Space but rather enable designation through Neighbourhood Plans as these are better placed to be able to justify their designation.

A version of this statement has been made by the Council in response to our concerns and formal representations on every iteration and discussion of this version of the local plan. It fails to address the arguments that we make carefully in our case. Specifically:

- NPPF (para 76) states that "Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green spaces local communities will be able to rule out new development other than in very special circumstances." Thus the NPPF says 'through local AND neighbourhood plan' it does not say OR which is the way the council appears to be interpreting it. Why are they rejecting this additional option?
- The position the Council adopts is less favourable in terms of policies to protect sites important to communities than was included in the previous plan (as previously provided by E1 policy designation). Our community has demonstrated strongly their concern about this choice through their participation in engagement exercises. We do not feel this is an adequate response to community consultation.
- The Council have not assessed (in any publicly available document) their choice of policy against the legally available alternatives to demonstrate that it is the best (or even adequate) way of meeting the Local Plan's objectives or to address the risks clearly identified in the Council's own Sustainability Appraisal. Our written submission details these issues. It further demonstrates how these issues and the Council's proposed policy are particularly problematic for smaller historic rural settlements (as recognised in the Sustainability Appraisal). We have had no response from the Council to this point.

*2. The Widespread Implication of this Policy Choice*

We have submitted this representation on behalf of the community of Appleby Magna. Our village is unusual in having a community-based environment group that has been active for 25 years. This has given us some expertise, experience and community support to allow engagement with formal planning policies. However, we are not unusual in facing the problems that we are seeking to address in this representation. The data in the Local Plan suggests around a quarter of the

population of the District live in settlements of this size or smaller. Areas with E1 designation in the last Local Plan include Breedon on the Hill, Chilcote, Coleorton, Diesworth, Long Whatton, Newton Burgoland, Normanton Le Heath, Osgathorpe and Snarestone. As such the absence of a policy for Local Green Spaces would have wide impact across the District.

Neighbourhood Planning is a complex process which needs a wide range of expertise and people willing to work over a considerable period of time. It is unrealistic to expect every small community to enter into this process. National Planning guidance on how to designate a neighbourhood area says “Electoral ward boundaries can be a useful starting point for discussions on the appropriate size of a neighbourhood area; these have an average population of about 5,500 residents”

<http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/designating-a-neighbourhood-area/> . This is far larger than any of the villages listed above. The process can take 2 years to produce a plan. In this timescale, Appleby faced applications for houses on a range of sites ringing the village. Of these applications, a greater number of houses were given planning permission than were envisaged by the worst predictions of the Sustainability Appraisal. This level of permissions violated the settlement hierarchy principle by judging sustainability against a proportionate increase in all settlements across the District. The latest iteration of SHLAA maps for Appleby confirm that this development pressure continues.

The NPPF requires a Local Plan to set out strategic policies for the “conservation and enhancement of the natural and historic environment, including landscape” (para 156). We believe that a Local Green Spaces policy should be part of such strategic policy. No evidence is provided to support the view that Neighbourhood plans are a better route than such a policy or that the Council could not work directly with local communities as, for example, they have done in the past over Conservation Area designations to shape the Local Plan.

### *3. Modification Suggested*

We have suggested a new policy which would address our concerns without holding up the plan approval process. It simply provides a mechanism which would allow the Council to work with communities to designate important green areas of particular importance to them, which have historic significance, their rural landscape setting, or contribute to their sense of place (as outlined in para 77 of the NPPF). We suggest this would start with a presumption in favour of designating current E1 areas which have been part of the policy framework for many years and include new areas as they come forward.

Sonia Liff, Chair Appleby Environment