

23/11/2020

Questions for Clarification Calstock Parish Neighbourhood Development Plan.

I am Deborah McCann, the independent examiner of the Calstock Neighbourhood Development Plan 2020-2030. I seek clarification on the following policy/supporting information. These questions are directed to the Qualifying Body and will be published on the Cornwall Council website together with any response received.

LISF 5 – LOCAL GREEN SPACES

1. The neighbourhood plan designates the following locations as local green spaces (as shown on Map 6).

a. Calstock Riverside

a. Calstock land south of Station Lane

c. West of Rosemary Cottage, Gunnislake (Newbridge Hill)

d. Gunnislake Riverside

e. Edgecombe Way

f. Drakewalls Mine (East)

g. Kingswood House, Gunnislake

h. Drakewalls Mine (West)

i. St Dominic Park Riverside

j. Okeltor Woods and Wildlife Reserve

2. Development that would harm the openness or special character of a Local Green Space or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space.

I am in receipt of numerous Regulation 16 comments in connection with the proposed Local Green Space designations. The majority of those representations are objections and come from householders. I have closely examined the proposed policy together with the Calstock Parish NDP Green Space Assessment Report and seek further clarification in respect to the proposed designations. The introduction to the Calstock Parish NDP Green Space Assessment Report makes a number of statements about LGS designation including in Paragraph 3. For clarity, the report is correct in stating that the NPPF does not provide a definition of 'reasonably close proximity', 'local in character' and 'not an extensive tract of land' however the report goes on to set out criteria based on Natural England's Accessible Greenspace Standards which for the purposes of my examination are not relevant.

Neighbourhood Planning Guidance states the following:

“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.

What if land is already protected by designations such as National Park, Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Scheduled Monument or conservation area?

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.

How big can a Local Green Space be?

There are no hard and fast rules about how big a Local Green Space can be because places are different, and a degree of judgment will inevitably be needed. However, paragraph 100 of the National Planning Policy Framework is clear that

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.

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.

What if land has planning permission for development?

Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.”

The NPPF states:

“99. 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.

100. The Local Green Space designation should only be used where the green space is:

a) in reasonably close proximity to the community it serves;

b) 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

c) local in character and is not an extensive tract of land.

101. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.”

The policy implication of Local Green Space designation is significant and therefore the NPPF sets a high standard of criteria to be met for designation. The selection of the areas should be fully justified, and the boundaries carefully drawn.

Having read the representations and examined the Calstock Parish NDP Green Space Assessment Report I require clarification on how the boundaries for the proposed LGS designations were determined. I would like clarification for all of the proposed LGS designations, addressing the following issues:

- a. How was the boundary for each area decided? It is not clear why some areas have been chosen above others with apparently similar characteristics and what rationale was used to draw the precise boundaries.
- b. A number of the areas do include sites with extant planning permissions, why?
- c. A number of the sites include what appear to be domestic curtilages or subdivide domestic curtilages, why?
- d. A number of the areas proposed already have significant policy protection, what additional local benefit will the designation bring?

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