

Item 13 - Local Green Space Discussion

Note from Kirkwells

A report has been produced by Gina Langley (Responsible Financial Officer) in respect of this item. This paper is to be read in conjunction with that report.

A Neighbourhood Plan can designate Local Green Spaces that are in accordance with Paragraph 100 of the National Planning Policy Framework (NPPF). Any Local Green Space to be designated must satisfy everyone of the criteria, which are as follows:

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.

The designation cannot be used to blanket cover areas of open countryside on the edge of settlements. Indeed, Planning Practice Guidance provided online by the Government states as follows:

“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.

Paragraph: 007 Reference ID: 37-007-20140306

Revision date: 06 03 2014”

The Regulation 14 consultation contained 14 Local Green Space designations. However, a number of potential Local Green Spaces have come forward following this consultation.

Whilst the addition of further Local Green Spaces is acceptable, it will require a second Regulation 14 consultation, carried out in much the same way as the previous Regulation 14 consultation.

In addition, the Local Green Space Assessment will require updating to include any new potential designations.

Implications of additional designations

Timetable Implications

The carrying out of a second Regulation 14 will put the Colne Neighbourhood Plan behind the consultation process of the Pendle Local Plan Part 2 as there will be a delay in the Colne Neighbourhood Plan timetable.

The Neighbourhood Plan will require the amendments from the previous Regulation 14 responses undertaken, and the Local Green Space Policy updating with the additional Local Green Spaces. This is likely to take 4-6 weeks. (end May 2021)

The Town Council will then need to approve the Colne Neighbourhood Plan for consultation. (Mid-June 2021)

The consultation will involve work to update the website; consulting everyone previously consulted; and holding of events similar to the previous ones held on each category (virtual or face to face);

The Consultation has to be held for a minimum of 6 weeks. (ending August 2021)

As with the previous consultation, the comments will need recording verbatim and will need assessing as to whether the Neighbourhood Plan needs amending.

A significant issue with carrying out a second Regulation 14 consultation relates to the Pendle Local Plan Part 2. The previous Regulation 14 consultation was held prior to the publication of the Local Plan Part 2 and therefore without the knowledge that Gib Hill and Upper Rough were coming forward as residential allocations in the document.

The re-running of the Regulation 14 consultation with both Gib Hill and Upper Rough included as Local Green Space will be in direct conflict with the Local Authority emerging plan of which you are fully aware of and where they are included as housing allocations.

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.

The implications of this are that when the plan is eventually submitted to Pendle Borough Council, they may not progress it to the Regulation 16 consultation as they may view it as not in “general conformity” with their adopted plan.

If the progression of the Colne Neighbourhood Plan continues through all of the stages, the delays to the timetable potentially result in the Colne Neighbourhood Plan being available for referendum in 12 months’ time.

Financial Implications

Should Kirkwells be retained to continue the process through to referendum, the financial implications will be as follows:

Existing financial package

Further support to site assessments work (4 days)	£1,400.00
Finalising Regulation 14 Draft Plan (2 days)	£700.00
STAGE 1 PAYMENT	£2,100.00
Preparation of Consultation Statement and Basic Condition Statement (3 days)	£1,050.00
Revise Draft Plan and Submit to Local Planning Authority (4 days)	£1,400.00
STAGE 2 PAYMENT	£2,450.00
Examination (2 days)	£980.00
Post-examination changes (1.5 days) changes	£350.00
STAGE 3 PAYMENT	£1,330.00
Total cost	£5,880.00

Stage 1 has already been paid as this work has been undertaken.

Proposed financial package

Finalising Regulation 14 Draft Plan (4 days)	£1,400.00
STAGE 1 PAYMENT	£1,400.00
Assessing Consultation responses (2 days)	£700.00
Preparation of Consultation Statement and Basic Condition Statement. (3 days)	£1,050.00
Revise Draft Plan and Submit to Local Planning Authority (4 days)	£1,400.00
STAGE 2 PAYMENT	£3,150.00
Examination (2 days)	£980.00
Post examination changes (1.5 days)	£525.00
STAGE 3 PAYMENT	£1,505.00
Total Cost	£6,055.00

Conclusion

Whilst the designation of additional sites is acceptable as part of the process, this paper is provided to ensure the Town Council are aware of the timetable and financial implications.