

## SCRUTINY COMMISSION – 23 AUGUST 2012

### ASSESSMENT OF NEW GREEN WEDGES TOPIC PAPER AND STATEMENT ON THE CONSISTENCY OF THE GREEN WEDGE DESIGNATION WITH THE NATIONAL PLANNING POLICY FRAMEWORK REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

WARDS AFFECTED: ASSESSMENT OF NEW GREEN WEDGES TOPIC PAPER - BURBAGE SKETCHLEY AND STRETTON; BURBAGE ST CATHERINES AND LASH HILL; AMBIEN; BARWELL; EARL SHILTON; CADEBY, CARLTON AND MARKET BOSWORTH WITH SHACKERSTONE; AND NEWBOLD VERDON WITH DESFORD AND PECKLETON. GREEN WEDGE DESIGNATION WITH THE NATIONAL PLANNING POLICY FRAMEWORK – GROBY; RATBY, BAGWORTH AND THORNTON; BARWELL; HINCKLEY DE-MONTFORT; BURBAGE ST CATHERINES AND LASH HILL; AND EARL SHILTON

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#### 1. PURPOSE OF REPORT

To inform Members of the Scrutiny Commission on the Assessment of New Green Wedges Topic Paper and Statement on the consistency of the Green Wedge designation with the National Planning Policy Framework.

The Topic Paper will inform the preparation of the Submission Version of the Site Allocations and Development Management Policies Development Plan Document. A copy of maps of the areas assessed are attached in appendix 1, the topic paper and statement can be found on the website as part of the agenda documents; alternatively a hard copy is available upon request from the Planning Policy Team.

The consistency of the Green Wedge designation with the National Planning Policy Framework Statement will be published on the Borough Council's website to support the green wedge designation and policies 6 and 9 of the Core Strategy.

#### 2. RECOMMENDATION

It is recommended that Scrutiny endorse the Topic Paper to be used as part of the evidence base for the Submission Version of the Site Allocations and Development Management Policies Development Plan Document and the Statement to support the green wedge designation.

#### 3. BACKGROUND TO THE REPORT

##### Assessment of New Green Wedges Topic Paper

The aim of the Assessment of New Green Wedges Topic Paper is to assess a number of areas to identify whether they should have the new designation of a green wedge.

The areas to be investigated have been identified through the site allocations process. This includes consultation responses on the Site Allocations Issues and Options Paper (August 2007); Site Allocations and Generic Development Control Policies Preferred Options Report (February 2009); Green Wedge Review Workshop (March 2011); and all Borough and Parish Councillors were requested to submit potential areas for green wedge designation (January-February 2012).

To assess whether an area should be identified as a green wedge, the Leicester and Leicestershire Green Wedge Review Joint Methodology (July 2011) has been used. Green wedges seek to guide development form of urban areas whilst maintaining

settlement identity through preventing the merging of settlements. In addition to this they also aim to provide a green lung and act as a recreational resource.

When assessing a new green wedge the Methodology stipulates that it must achieve all four of the evaluation criteria or be capable of fulfilling all criteria.

The Joint Methodology has been used to assess the following proposed green wedges:

- Area between Burbage and the M69
- Land between Sketchley, Three Pots Estate, A5 and Sketchley Lane Industrial Area, Burbage
- Area between the Barwell Sustainable Urban Extension allocation and Stapleton
- Area between Westfields Farm and Harwell House
- Area between Higham on the Hill and Hinckley
- Area between Stoke Golding and the Northern Perimeter Road, Hinckley
- Area between Stoke Golding and Dadlington
- Area between Market Bosworth and Carlton
- Area between Market Bosworth and Priory Lane and Area between Market Bosworth and Cadeby
- Area between Dadlington, Shenton and Sutton Cheney

The process for evaluating the proposed green wedges is as follows:

- Desktop Survey – For example, information relating to public rights of way, land use, ecology, development control decisions, and development pressures.
- On Site Survey – Site visits investigated issues such as topography, extent of built development, perception of distance and trees/hedgerows.
- Consultation – Consultation through the site allocations process, Green Wedge Review Workshop (March 2011) and call for sites consultation with Borough and Parish Council (January-February 2012). Sites suggested through these processes have been considered although the title of the green wedge may be different. An exception to this is sites suggested which are already within a green wedge designation and Market Bosworth Water Trust as it is not adjacent to a settlement.
- Evaluation – The proposed green wedges have been assessed using the four evaluation criteria: Preventing the merging of settlements; Guiding Development Form; Providing a green lung into urban area; and a recreation resource. To be designated as a green wedge the area must meet all of the four evaluation criteria.

After going through the above process none of the areas suggested met all four of the evaluation criteria as they are required to do. The Topic Paper sets out in detail why each of the areas does not meet all four evaluation criteria at the end of each assessment (Topic Paper can be found on the website as part of the agenda documents). As a result there are no new green wedges suggested to be allocated in the Submission Version of the Site Allocations and Development Management Policies Development Plan Document (DPD).

It is important to note that there are two existing Green Wedges which are designated within the adopted Core Strategy. In order to maintain the robustness of these designations it is important to ensure that any new Green Wedges meet all four of the evaluation criteria so that the existing Green Wedge designations are not undermined.

In relation to preventing the merging of settlements the Site Allocations and Development Management Policies DPD provides the opportunity to refine and update the countryside policy and this is discussed further below.

In relation to guiding development form, a number of the proposed areas were within rural areas. The Core Strategy does not identify a significant amount of housing development for the rural settlements and the areas proposed for green wedge were considered excessive in relation to land allocation required for the planned development. In terms of the proposed areas adjacent to the urban area it was found that the area between the settlements was also considered excessive for the level of development proposed.

In terms of providing a green lung a number of the green wedges met this criterion particularly those adjacent to the urban areas, other proposed green wedges met the criterion to a limited degree.

A number of the proposed green wedges perform a recreation resource. The recreational resources were identified through the Open Space, Sport and Recreational Facilities Study (July 2011). All of the sites identified within the Study will be allocated as open space and therefore will already be subject to an allocation to protect the spaces as recreational resource.

#### Alternative protection for these areas

Although it is recommended that these areas are not designated as green wedges it does not mean that they will not have an applicable policy designation.

#### Countryside

It is recommended that those areas which fall outside a settlement boundary or a green wedge are designated as countryside.

The Site Allocations and Development Management Policies DPD provides the opportunity to refine and update the countryside policy with an explicit reference to maintaining separation between settlements. The new wording of the criteria based countryside policy will ensure that the physical separation of settlements is maintained and the individual identity of communities forms part of the consideration for any application outside settlement boundaries. The proposed wording of the Countryside Policy is included in the Areas of Separation Topic Paper (March 2012). A benefit of this approach is that it would reinforce the value of maintaining the physical separation between settlements across the entire Borough and not just a small selection of sites, creating parity for all and consistency in application and decision making

#### Green Infrastructure

A number of these areas were identified as providing a green lung; a green lung performs a similar role to that of green infrastructure. The NPPF places importance on green infrastructure networks and consistent with this is Policy 20 (Green Infrastructure) and the Key Diagram of the Core Strategy (2009). This policy supports the green infrastructure network identified within the Green Infrastructure Strategy (2008), to ensure that existing and potential new green infrastructure resources and assets are supported. The benefit of this approach is that it is a borough wide strategic green infrastructure plan to ensure that the green infrastructure network across the Borough is comprehensive and the policy supports their enhancement and protection.

#### Recreation

A number of the proposed green wedges perform a recreational resource. The recreational resources were identified through the Open Space, Sport and

Recreational Facilities Study (July 2011). The sites identified within the Study will be allocated as open space through the site allocations process. To support the open space allocations they will be supported by a 'Safeguarding Open Space, Sport and Recreational Facilities Policy'. The proposed wording for this Policy is included in the Areas of Separation Topic Paper (March 2012). The policy, combined with the site allocations has the following benefits:

- It would aid in the delivery of stated objectives in Core Strategy
- It would reinforce the value of the sites as recreational resources important to the local community with value in their protection and enhancement
- It would enable the application of Section 106 open space developer contributions to the enhancement and maintenance of the sites

These alternative allocations/policies provide the necessary future protection of the areas considered in this Topic Paper.

#### Statement on the Consistency of the green wedge designation with the National Planning Policy Framework

Although no additional green wedges have been identified within the Assessment of New Green Wedges Topic Paper, the Borough Council has two existing green wedges. These green wedges are identified in the Core Strategy (December 2009) within Policy 6: Hinckley/Barwell/Earl Shilton Burbage Green Wedge and Policy 9: Rothley Brook Meadow Green Wedge.

The National Planning Policy Framework (NPPF) was published in March 2012 and paragraphs 214 and 215 of Annex 1: Implementation states that: '214. For 12 months from the day of publication decision takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. 215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework.' In preparation of this Officers have worked jointly with Officers from other Leicester and Leicestershire Authorities to assess the consistency of the green wedge designation with the NPPF. A Statement has been prepared jointly for each of the authorities to use locally. The Statement is to be used to support the two green wedge policies (policies 6 and 9) in the Core Strategy and the recently published Green Wedge Review (2012).

The purpose of the Statement is to set out the continued support for the green wedge designation within Leicester and Leicestershire as a result of the publication of the National Planning Policy Framework (NPPF) (March 2012).

Although the NPPF does not contain a specific reference to green wedges, paragraph 1 of the NPPF makes it clear that the Framework 'sets out the Government's requirements for the planning system only to the extent it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Statement concludes that green wedges are a useful local planning tool used within Leicestershire which is consistent with the NPPF. The Statement attached sets out the justification for this conclusion.

#### 4. FINANCIAL IMPLICATIONS [PE]

None

#### 5. LEGAL IMPLICATIONS [EP]

Any legal considerations are covered within the report.

6. **CORPORATE PLAN IMPLICATIONS**

The Green Wedge Review supports the following aims of the Corporate Plan 2010 - 2015:

- Cleaner and greener neighbourhoods
- Safer and healthier Borough
- Strong and distinctive communities

7. **CONSULTATION**

Consultation through the site allocations process, Green Wedge Review Workshop (March 2011) and call for sites consultation with Borough and Parish Council (January-February 2012) have informed the preparation of the document.

8. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to approve the Assessment of new green wedges topic paper will result in the local authority having a gap in their evidence base for the Site Allocations and Development Management Policies DPD.	Approve the Topic Paper	Rachel Dexter
Failure to approve the Statement on the consistency of the Green Wedge designation with the National Planning Policy Framework would mean that the local authority would not have a position relating to Annex 1 of the NPPF on green wedges.	Approve the Statement	Rachel Dexter

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

The Study has considered a number of proposed green wedges which fall within the Rural Area.

The Study forms part of the evidence base for the Site Allocations & Development Management Policies DPD which consider both urban and rural areas equally.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications: None arising from this report
  - Environmental implications: None arising from this report
  - ICT implications: None arising from this report
  - Asset Management implications: None arising from this report
  - Human Resources implications: None arising from this report
  - Planning Implications: Contained within the report.
  - Voluntary Sector: None arising from this report
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Background papers: Appendix 1: Maps of areas assessed.  
Appendix 2: Assessment of new green wedges topic paper- see agenda documents  
Appendix 3: Statement on the consistency of the Green Wedge designation with the National Planning Policy Framework – see agenda documents

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