

SCRUTINY – 8 DECEMBER 2011

REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

RE: Green Wedge Review

1. PURPOSE OF REPORT

1.1 To inform Scrutiny of the Green Wedge Review and seek initial views on the review so that the study can be utilised when preparing Local Development Framework (LDF) documents such as the Site Allocations and Generic Development Control Policies DPD and policy comments on planning applications. A presentation of the key findings and changes will be presented at the meeting.

1.2 A copy of the Study is available to view by contacting the Contact Officer.

2. RECOMMENDATION

(i) That Scrutiny endorses the study so that it can be utilised as an evidence base when preparing the Local Development Framework (LDF) such as the Site Allocations and Generic Development Control Policies DPD and to inform the consideration of planning applications.

3. BACKGROUND TO THE REPORT

Background to green wedges

3.1 Green Wedge policies were introduced in Leicestershire in the Leicestershire Structure Plan in 1987. Subsequent Structure Plans in 1994 and 2005 maintained Green Wedge policies. The detailed boundaries of the green wedge were however established at a local level rather than a County level. They have no statutory basis at national or regional level.

3.2 The East Midlands Regional Plan (2009) does not contain a policy on Green Wedges. Instead, it emphasises that a review of existing Green Wedges or the creation of new ones in association with development will be carried out through the local development framework process. Paragraph 4.2.18 of the supporting text stated that *'Green Wedges serve useful strategic planning functions in preventing the merging of settlements, guiding development form and providing a 'green lung' into urban areas, and acts as a recreational resource. Although not supported by government policy in the same way as Green Belts, they can serve to identify smaller areas of separation between settlements. Provision will be made in Green Wedges for the retention or creation of green infrastructure or*

green links between urban open spaces and the countryside, and for the retention and enhancement of public access facilities, particularly for recreation.'

Why is a Green Wedge Review necessary?

- 3.3 The Borough has two green wedges and these are known as Rothley Brook Meadows and Hinckley/Barwell/Earl Shilton/Burbage (maps included in appendix 1). During the Core Strategy examination it became clear that to have sound and robust evidence to progress the site allocations a full review of the green wedge would need to be undertaken. The need to carry out a review of both green wedges is stated on pages 39 and 45 of the Core Strategy and was a recommendation by the Core Strategy Inspector.
- 3.4 The need for a review was reinforced by representations received on the Site Allocations and Generic Development Control Policies Development Plan Document (DPD): Preferred Options. The document was criticised by a number of respondents due to a lack of evidence for the amendments proposed. It was considered that further work to inform the document was required in order to address those concerns. As it is a requirement of the Core Strategy to undertake a Green Wedge Review to inform the Site Allocations and Generic Development Control Policies DPD, failure to undertake a review could result in the DPD being found unsound at public examination as it would not be in conformity with the Core Strategy.
- 3.5 The authority is currently considering other planning applications for housing development within the green wedge. With a Green Wedge Review in place the Borough Council will be able to use the document to look at the strategic nature of the green wedge and the impact of new development on that strategic role in order to resist inappropriate and incremental development encroaching into the green wedge. The policies in the Core Strategy relating to the borough's Green Wedge will carry more weight with the review completed and approved by the Council.
- 3.6 A recent appeal within Blaby District on the edge of Glenfield has been allowed within the green wedge. This Inspectors decision to allow the development was called in by the Secretary of State who agreed with the decision. Blaby District Council were criticised for not using the Leicester and Leicestershire Green Wedge Review Joint Methodology in the review of their green wedge. The Hinckley and Bosworth Green Wedge Review has closely followed the joint methodology to ensure that it is robust and can stand up to scrutiny when it is tested through public examination and appeal. Blaby were also criticised for not considering the green wedge against development pressure. The Borough Council's Green Wedge Review has done this and will provide support if the Borough Council needs to defend an appeal.
- 3.7 The Green Wedge Review has identified areas which no longer met the criteria or merit inclusion in the Green Wedge set out in the methodology and which, therefore, could be proposed for deletion in Development Plan Documents; and identified areas which at present are not subject to Green Wedge policy but could

be appropriately included in conjunction with proposals to accommodate additional development. The full methodology used is contained within the Leicester and Leicestershire Green Wedge Review Joint Methodology (July 2011) and outlined in detail in chapter 4 of the Green Wedge Review.

Desk Top Study

- 3.8 The assessment of the green wedges began with a desk top survey, this first examined all documents that relate to the green wedge that have been produced (e.g. Landscape Character Assessment, Biodiversity Assessment). This is followed by collating data on right of ways/access, archaeology, ecology, minerals and waste, flooding, air quality, infrastructure, socio-economic profile, land uses, development control history, planning policy history, agricultural land quality and green infrastructure. The Desk Top Study is set out in chapters 6 and 12 of the Green Wedge Review.

Site Assessments

- 3.9 Once the desk top study was completed the next stage was to carry out site visits, a pro-forma agreed as part of the methodology was used. For assessment purposes both of the green wedges were split into areas for the purpose of the survey so that the assessment captures the different roles and character of the green wedge. The completed pro-formas and findings are set out in chapters 7 and 13 of the Green Wedge Review.

Consultation

- 3.10 A stakeholder consultation event took place on Monday, 21st March 2011. Stakeholders who were invited included Parish/Town Councils with a green wedge; Ward Members with a green wedge within their ward; Environment Agency; Blaby District Council; Charnwood Borough Council; Leicester City Council; Leicestershire County Council; Oadby and Wigston Borough Council; Campaign for the Protection of Rural England (Hinckley and Bosworth); Country and Land Association; Hinckley and Bosworth Development Control Team; Hinckley and Bosworth Green Spaces Team; Home Builders Federation; Leicestershire and Rutland Wildlife Trust; National Farmers Union; Natural England; Rural Community Council; and Stepping Stones.
- 3.11 Consultees who confirmed attendance to the workshop were provided with a Topic Paper prior to the event which set out: Data collection/Desktop Survey; Site Assessment Analysis; and Evaluation Criteria.
- 3.12 The consultation event consisted of two presentations outlining the background to the reviews and the findings of the desk top survey and site visits. Each presentation was followed by an interactive workshop which considered the priority purposes of the green wedge; the individual role and function of the Borough's green wedges and the application of the evaluation criteria to the two green wedges. A detailed consultation report is contained in chapters 8 and 14 of the Green Wedge Review.

- 3.13 The revised Green Wedge boundary will be consulted upon as part of the Site Allocations and Generic Development Control Policies DPD Pre-Submission version.

Evaluation

- 3.14 The Green Wedge Review used the evaluation criteria set out in the Methodology using the information from the desk top survey, on site surveys, and consultation. The criteria used were: Preventing the merging of settlements; guiding development form; providing a green lung into urban areas; and a recreational resource. This came from the text in the RSS. The evaluation was carried out at both a macro and micro scale. The evaluation is contained within chapters 9 and 15 of the Green Wedge Review.

Key findings

- 3.15 The Review found that both green wedges strategically achieve the four evaluation functions of the green wedge. There are small pockets that do not contribute to the function of the green wedge as well as areas adjacent to the green wedge which do contribute to the function.
- 3.16 In relation to **Hinckley/Barwell/Earl Shilton/Burbage Green Wedge** it is recommended that **St Mary's Churchyard within Barwell** is extended into the green wedge. It is also recommended that **John Cleveland College Playing Fields** is included within the green wedge as it is a recreational resource and a green lung. During the consultation event it was suggested that a green wedge between Stapleton and the Barwell SUE should be explored, this will be done through a separate document looking at new green wedges. There are recommendations to remove an area of the green wedge; this includes the **Leicester Road, Hinckley** appeal site which will be a residential site and no longer performs the green wedge role.
- 3.17 In relation, to **Rothley Brook Meadow Green Wedge**, it is recommended that an extension could occur to the rear of **Groby Pool Car Park** as it provides a green lung and recreational resource and lends naturally to an extension. It is also recommended that **Marina Park, Groby** is included within the green wedge, this was supported through the consultation event, the park guides development form, acts as a recreational resource and a green lung.
- 3.18 It is recommended that the **Brant Inn Public House, Groby** is removed as it is a brownfield site that does not meet the criteria. It is identified that there is development pressure facing Groby, as the majority of the settlement is surrounded by green wedge and it may be necessary to review the boundary through the site allocations process to meet the housing requirement. A sequential approach should be taken firstly looking at sites within the settlement boundary, followed by sites adjacent to the settlement boundary not within the green wedge, and finally sites adjacent to the settlement within the green wedge.

- 3.19 **The area to the south of the M1 and to the north east of Ratby** is recommended for removal, it is a thin slither of land which does not meet all of the criteria sufficiently to remain within the allocation. It is recommended to remove the area of **land to the south of the M1** which has permission for residential development and **Ferndale Park** which will retain its protective designation as recreation. It is recommended to be removed as it does not prevent the merging of settlements or guide development form.
- 3.20 The amendments suggested will make the green wedge boundary more robust and defensible in the future. It is important to note that this review does not revise the adopted boundary of the green wedge identified on the current Proposals Map and this boundary will remain until it has been consulted upon as part of the Site Allocations and Generic Development Control Policies DPD and is subsequently adopted following an Examination in Public. The review may also aid the development control process where applications for land that is within the green wedge that comes forward prior to the adoption of the DPD and may be utilised as an evidence base document for policy comments on these applications.
- 3.21 The conclusions and recommendations in the Green Wedge Review are only recommendations at this stage and will be subject to consultation through the Site Allocations and Generic Development Control Policies DPD process and therefore may be liable to change inline with national policy.

6.0. FINANCIAL IMPLICATIONS (CB)

- 6.1 None.

7.0 LEGAL IMPLICATIONS (AB)

- 7.1 None raised in directly by this report

8.0. CORPORATE PLAN IMPLICATIONS

- 8.1 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;

9.0 CONSULTATION

During the preparation of the Leicester and Leicestershire Green Wedge Review Joint Methodology stakeholders were consulted on the content of the Methodology.

A stakeholder consultation event took place on Monday, 21st March 2011. Stakeholders invited included Parish/Town Councils with a green wedge; Ward Members with a green wedge within their ward; Environment Agency; Blaby District Council; Charnwood Borough Council; Leicester City Council; Leicestershire County Council; Oadby and Wigston Borough Council; Campaign for the Protection of Rural England (Hinckley and Bosworth); Country and Land Association; Hinckley and Bosworth Development Control Team; Hinckley and Bosworth Green Spaces Team; Home Builders Federation; Leicestershire and Rutland Wildlife Trust; National Farmers Union; Natural England; Rural Community Council; and Stepping Stones. Further details are provided in paragraphs 3.17 to 3.19.

The revised Green Wedge boundary will be consulted upon as part of the Site Allocations and Generic Development Control Policies DPD Pre-Submission version.

10.0. **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 publish the Review would result in the Site Allocations and Generic Development Control Policies DPD being contrary to the Core Strategy and unsound. It would not be possible to progress the Site Allocations and Generic development Control Policies DPD.	Publication of the Report	Rachel Dexter
Failure to publish the Review will lead to the Council continually being challenged for not having an up to date green wedge review through planning applications and appeals.	Publication of the Report	Rachel Dexter

11.0. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 11.1 The Study has considered the Rothley Brook Meadow Green Wedge which falls within the Rural Area.
- 11.2 The Study forms part of the evidence base for the Site Allocations & Generic Development Control Policies DPD which consider both urban and rural areas equally.

12.0. CORPORATE IMPLICATIONS

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

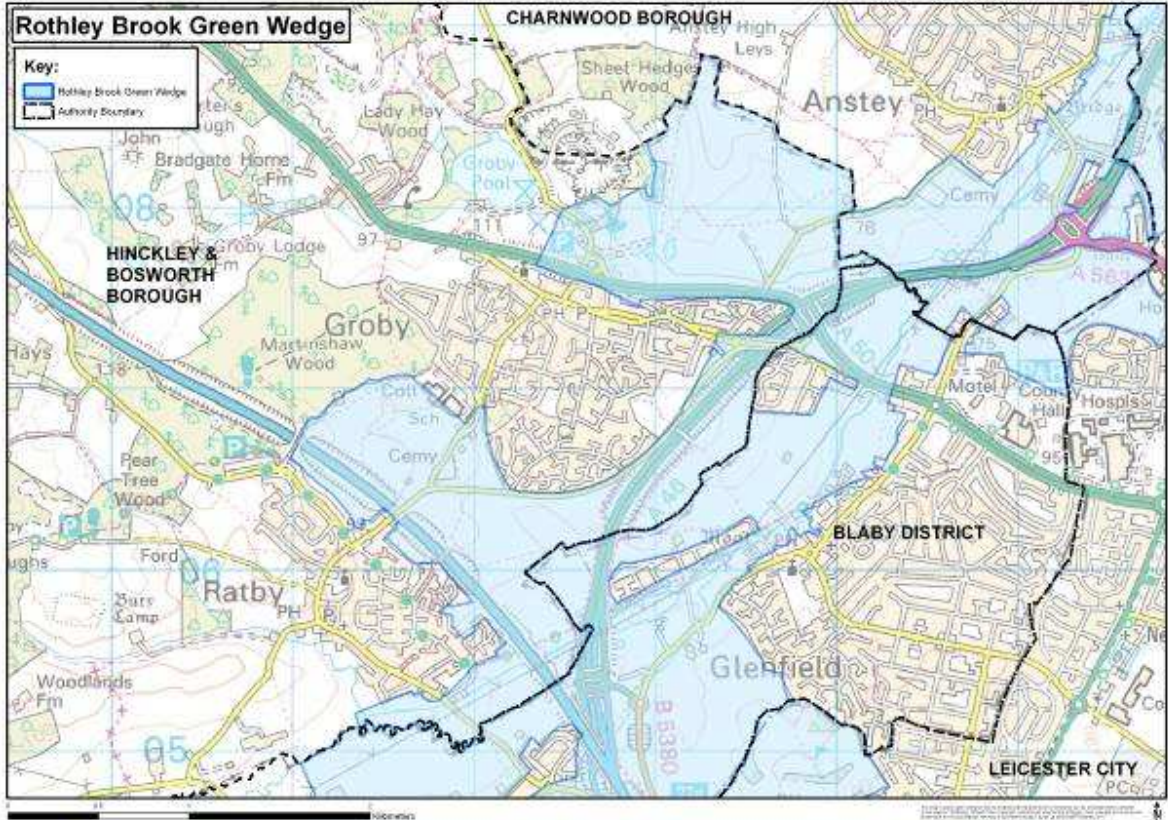
- Community Safety implications: None arising from this report
 - Environmental implications: None arising from this report
 - ICT implications: None arising from this report
 - Asset Management implications: None arising from this report
 - Human Resources implications: None arising from this report
 - Planning Implications: Contained within the report.
 - Voluntary Sector: None arising from this report
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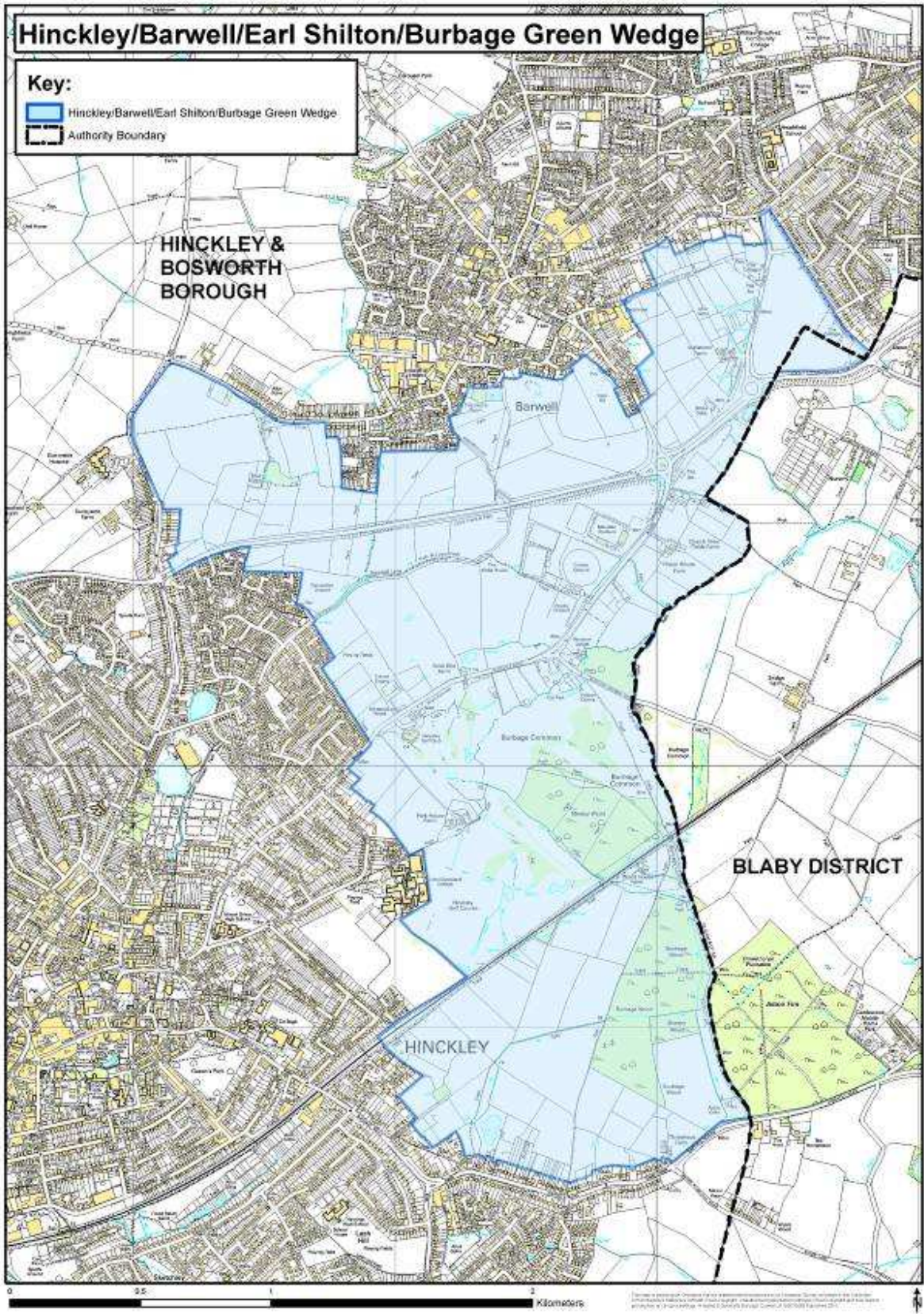
Background papers: Green Wedge Review (September 2011)

Contact Officer: Rachel Dexter ext. 5749

Portfolio Holder: Councillor Stuart Bray

Appendix 1. Maps of Rothley Meadow and Hinckley/Barwell/Earl Shilton/Burbage





Appendix 2

Leicester and Leicestershire Green Wedge Review Joint Methodology

A Joint Leicester and Leicestershire Green Wedge Review Methodology has been produced. The reason for this is that by the very nature of green wedges they are not confined to local authority administrative areas and therefore requires a coordinated approach to ensure the reviews are consistent and robust.

Once the Methodology was drafted and agreed by the joint steering group it went out for a stakeholder consultation as it was a technical paper. This included: Leicestershire County Council Policy Team; Leicestershire County Council Access Team; Adjacent District/Borough Councils i.e. Melton Borough Council (officers); Appropriate local authority departments; Government Office East Midlands; National Forest; Leicester, Leicestershire Wildlife Trust; 6C's coordinator; Farmers Union; Environment Agency; English Heritage; Stepping Stones; British Waterways; Local Access Forum; House Builders Federation; English Nature; East Midlands Regional Assembly; and Country Land And Business Association. The Methodology was finalised in August 2009. Since the publication of the Methodology it has been amended to reflect the emerging national policy framework, such as the abolition of Regional Plans

To reflect the intentions of the new government and the revoking of the Regional Plan the Joint Leicester and Leicestershire Green Wedge Methodology Steering Group made the decision to revise the green wedge review methodology to reflect the recent circumstance. The planning functions contained in the Regional Plan remain legitimate and provided a starting point for the green wedge review in Leicestershire. The future absence of a Regional Plan does not preclude the need to carry out such a review or undermine the legitimacy of the approach taken. All those consulted previously were notified of this. The revised methodology was finalised in July 2011.

Methodology

Areas of green wedge primarily seek to guide the development form of urban areas but it is recognised that rural settlements nearby may also be affected by green wedge due to their proximity to larger urban areas. This is particularly so with Rothley Brook Meadow Green Wedge and helps to maintain settlement identity whilst providing a green infrastructure link between settlements.

As a minimum the green wedge review should be undertaken at a macro scale, however can be looked at in more detail through a micro scale review.

When assessing a green wedge (on a macro scale) in its entirety, or when identifying a new green wedge; a green wedge should achieve all of the mentioned evaluation criteria, or be capable of fulfilling all criteria in the future.

A micro-scale review could be undertaken by an Authority through the creation of sub-areas within the green wedge to enable a detailed analysis. If this type of review were to be undertaken the smaller areas would be determined by the Local Authority. Sub areas within a green wedge may not meet all of the four functions identified in the

methodology. The four functions were established for the purposes of evaluating the strategic designation of an entire green wedge. When assessing these sub areas, the Authority should identify how these smaller areas function in the context of the wider strategic designation and make a judgment using the evaluation criteria below. The Authority would need to consider the relationship that individual sites have on the role and function of the green wedge as a whole. The evaluation criteria are as follows:

Preventing the merging of settlements: Green Wedges will safeguard the identity of communities within and around urban areas that face growth pressures.

Guiding Development Form: Green Wedges will guide the form of new developments in urban areas. Consideration will be given to designating new green wedges or amending existing ones where it would help shape the development of new communities' such as potential sustainable urban extensions.

Providing a Green Lung into urban areas: Green Wedges will provide communities with access to green infrastructure and the countryside beyond. They are distinct from other types of open space in that they provide a continuous link between the open countryside and land which penetrates deep into urban areas. Green Wedges will also provide multi-functional uses.

A recreational resource: Green wedges will provide a recreational resource. This will include informal and formal facilities now and in the future. Public access will be maximised