

<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>23 JANUARY 2020</b>	<b>CATEGORY: (See Notes) DELEGATED or RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR SERVICE DELIVERY</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KEVIN EXLEY 01283 228717 kevin.exley@southderbyshire.gov.uk</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>LOCAL GREEN SPACES – PROPOSED MODIFICATIONS.</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS03</b>

## **1.0 Recommendations**

- 1.1 That the Committee approves the proposed modifications to the Local Green Spaces Plan and authorises consultation on the proposed modifications.

## **2.0 Purpose of the Report**

- 2.1 To outline to the Committee the proposed changes (modifications) to the Local Green Spaces Plan following the Examination in Public on 12 September 2019 and authorise consultation on the proposed modifications.

## **3.0 Detail**

- 3.1 Following submission of the Local Green Spaces Plan on 24 May 2019, the Plan has been subject to a hearing as part of the Examination in Public (EIP). This hearing was held at the Council Offices on 12 September 2019. Following on from the comments made by the Planning Inspector during the hearing and a further review of sites to address issues identified by the Inspector at the hearing, together with comments made within a subsequent Post-Hearing Statement issued to the Council on 30 September 2019, officers now recommend a number of changes to the Plan.
- 3.2 These changes are, for the most part, of a modest nature and include a change to Policy LGS1 in the Plan which will tie LGS1 back to Policy BNE8 in the adopted Part 2 Local Plan and therefore ensure that the two policies are read together. In addition, a number of site changes are proposed. The most notable of these is the deletion of sites LGS84 and LGS144 from the Plan. Site LGS084 is comprised of a modest area of land (including an irregular sized bowling green) surrounding a community hall in Castle Street, Melbourne, whilst the site in Weston on Trent (LGS144) is a triangular piece of land currently used as an informal open space. Both sites are on very short leases and the land-owners have indicated that these could be terminated at short notice. As a result neither can meet the requirements set out in the NPPF for designated sites to persist beyond the plan period. The removal of both sites is therefore suggested in order to make the Plan 'Sound'.

- 3.3 A number of other sites have also been subject to review following concerns raised by the Inspector at the hearing. Following a review of site boundaries it is proposed that six further sites be subject to some degree of modification. These include:
- LGS149, Catherine Jonathan Playing Field, Egginton
  - LGS93, East of High Street, South of Askew Grove, Repton
  - LGS159, Walton Playing Field, Walton on Trent
  - LGS116, East of the Hayes, Findern
  - LGS02, Aston Drive, Midway
  - LGS05, Springwood Farm Road, Midway
- 3.4 For the bulk of these sites modifications are proposed in order to remove land wholly in private ownership with no public access and in use as either gardens, paddocks or other similar private use. However, in respect of the site at Walton on Trent and following observations made by the Planning Inspector, it has come to the attention of officers that an area of land previously proposed has, in the recent past, been fenced off and is in use as the adjacent school's general playing field. There is, therefore, now no public access to this part of the site. In light of this, it is the view of officers that the fenced off area should now be excluded.
- 3.5 The full extent of the proposed main modifications to the Plan (summarised above) is set out in Appendix 1A of this Report; further additional modifications (sometimes known as minor modifications) proposed by the Council to correct errors or update the Plan are set out in Appendix 1B. Appendix 2 includes a draft of the Plan as proposed subject to the modifications outlined. Appendix 3 of this report comprises a Sustainability Appraisal Addendum which outlines the potential environmental and other effects associated with the proposed modifications. These documents will be those issued for consultation.
- 3.6 The modifications consultation itself is proposed to run for a period of six weeks, commencing as soon as practicable after the call-in period following the Committee's decision. Comments are only sought on the proposed modifications for the Plan. Any comments received will be forwarded to the Planning Inspector who will take these into account in drafting the Inspector's Report. Adoption of the Plan is currently anticipated for Spring 2020.

#### **4.0 Financial Implications**

- 4.1 There are no financial implications for the Council additional to those already budgeted for.

#### **5.0 Corporate Implications**

- 5.1 Employment Implications: Implementation of the Local Green Spaces Development Plan Document (LGSDPD) will be carried out within the limits of existing staff resources.
- 5.2 Legal Implications: There are no legal implications directly arising from this report.
- 5.3 Corporate Plan Implications: The LGSDPD provides a framework which is of importance in delivering the strategic priorities and objectives contained in the Council's Corporate Plan and related Service Delivery Plans produced by individual directorates.
- 5.4 Risk Impact: There is limited risk though this document does form part of the Local Development Scheme.

## **6.0 Community Impact**

- 6.1 Consultation: Consultation will take place over a six-week period as outlined in the report.
- 6.2 Equality and Diversity Impact: The delivery/provision of green infrastructure will assist in meeting the diverse needs of all established and future residents and non-residents across the District.
- 6.3 Social Value Impact: the provision and enhancement of open space and recreation facilities will enhance public health and well-being.
- 6.4 Environmental Sustainability: the LGSDPD will contribute toward the achievement of economic, social and environmental objectives.

## **7.0 Conclusions**

- 7.1 The LGSDPD will add further to the Local Plan Part 1 and 2 and deliver the designation of local green spaces as proposed during the Part 2 examination.

## **8.0 Background Papers**

- Appendix 1A: Schedule of proposed Major Modifications to the Local Green Spaces Plan
- Appendix 1B: Schedule of proposed Additional (Minor) Modifications to the Local Green Spaces Plan
- Appendix 2: Draft of the Plan (amended to reflect proposed modifications)
- Appendix 3: Local Green Spaces Sustainability Appraisal Addendum