

St Newlyn East and Mitchell Neighbourhood Plan - Local Green Space

Purpose of Report

1. This report assesses the merit of various sites nominated for inclusion in the Neighbourhood Plan as designated 'local green space', which would be subject to a policy in the Plan that protects them from unwarranted development.

Legislation

2. The NPPF gives parish and town councils the right to designate small local recreation and amenity areas that are of "*particular importance to the community*" as 'local green spaces' and give them policy protection in the Neighbourhood Plan. The NPPF (para. 102) states that "*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."*
3. In addition to these criteria, national Planning Practice Guidance (PPG) advises that: "*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*"¹.
4. Other designations of land, such as green belt or conservation area status, do not necessarily preclude or support designation as local green space. But it is necessary to consider whether the additional designation is necessary and would serve a useful purpose.

Candidate Sites

5. The list of potential candidates for assessment as local green space was arrived at initially by the Steering Group. After an initial sieve to ensure the sites in question qualified for consideration as local green space, i.e. they may meet the basic criteria of the NPPF, the Steering Group used its local knowledge, along with site visits where necessary, to complete a standard site survey and appraisal form. Seven sites have been assessed as potential candidates for designation of a local green space. For each site an appraisal form was completed. The candidate list may be added to with nominations from the community during the consultation on the 1st Version of the Neighbourhood Plan in 2022.

Appraisal and Conclusions

6. The results of the survey and assessment 'work', carried out in December 2021, is set out in a schedule for each site, which can be found in Appendix A to this report. The information contained on the schedules has been used to consider whether each of the sites sufficiently meets the requirements demanded by the NPPF to merit designation as a 'Local Green Space' (LGS).
7. The NPPF is quite stringent and specific in its criteria relating to LGS designation. Moreover, there is now a significance body of 'evidence' of how the criteria are being interpreted by examiners of neighbourhood plans. Some of the criteria have also been tested subsequently in law.
8. As regards it being an **extensive tract** of land, the PPG states that there is no hard and fast rule about the size of a local green space. It is a judgment call, therefore. But the PPG goes on to emphasise that an LGS designation should only be used where "*the green area is not an extensive tract of land*". There is a no set maximum nor minimum size limit, but the site must be 'local' in character. The PPG also states that the blanket designation of open countryside adjacent to settlements will not

¹ PPG Paragraph: 008 Reference ID: 37-008-20140306 <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#Local-Green-Space-designation>

be appropriate, particularly if designation is being used in a way that undermines the aim of plan-making i.e. identify sufficient land in suitable locations to meet identified development needs.

9. It is generally acknowledged that the application of criteria may differ between settlements depending on their physical size and population. Designated spaces should normally be fairly contained, with clearly defined edges. In applying this criterion to potential local green space in the St Newlyn East parish area, we asked:
- does the space or combination of adjoining spaces ‘feel’ local in character and scale, in respect of the local community that the space serves?
 - Is the proposed space larger than other areas of land in the vicinity?
 - Is it contained with clearly defined edges?
 - Does the space connect physically, visually, and socially to the local area?
10. As for being in proximity to the community it serves, we are advised to apply the **reasonably close** test, which is another judgment call. If public access is a key factor influencing its consideration, the site should normally be within easy walking distance of the community it serves. This may vary depending on the size of the community to which the green space relates, the size of the green space or the value placed on it by the community. The land must not be isolated from the community.
11. The third test that needs to be applied is whether the site is **demonstrably special** to the local community and holds a particular **local significance**. The examples given in the NPPF are: *“because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife”*. We have looked for a clear indication that the community cares about the future of the space as a facility or amenity for the community to enjoy. We have been cognisant too of the PPG’s advice that, how a local green space will be *“managed in the future is an important consideration, if the features that make it special or locally significant are to be conserved”*.
12. The table below summarises the assessment findings for the seven candidate sites as they relate to the criteria in the NPPF:

St Newlyn East and Mitchell Local Green Space Analysis 2022										
Site No.	Name	Extensive tract of land?	In proximity to community it serves	Demonstrably Special for:						Should it be designated as a LGS?
				Beauty	Historical significance	Recreational value	Richness of wildlife	Tranquillity	Other	
1	The Preaching Pit, Cargoll Road	No	Yes		✓	✓			✓	Yes
2	The Allotments, Neeham Road	No	Yes			✓			✓	Yes
3	The War Memorial, the Butts	No	Yes		✓			✓		Yes
4	St Newlyna Churchyard	No	Yes	✓	✓	✓		✓		Yes
5	Mitchell Play Area	No	Yes			✓				Yes
6	Play Area, St Francis Meadow	No	Yes			✓				Yes
7	Ecology Area, Tinnars Croft	No	Yes				✓			No

Recommendations

13. A draft policy NEM10 has been agreed in principle by the Steering Group as the basis of further consultation and survey. It is worded as follows:

“The areas listed below are designated ‘Local Green Spaces’.....

Proposals for new development on designated Local Green Spaces will only be supported where they:

- a) are ancillary to the existing recreation or amenity use of the site; and
- b) maintain or enhance the existing use and amenity value of the site; and,
- c) have no adverse impact on the landscape, habitat or biodiversity of the site or provide a mitigation proposal which is agreed and approved through the planning approval process.”

Proposals for development on any designated local green space will be resisted other than in very special circumstances.”.

14. The wording of the draft policy may be revised when included in the Submission Version of the Neighbourhood Plan, but the intention of the policy will remain the same. The NPPF (para. 103) says *“policies for managing development within a Local Green Space should be consistent with those for Green Belts”*.
15. Based on the surveys and assessments, the following recommendations are made regarding local sites being designated as local green space and therefore being subject to a local green space policy in the St Newlyn East and Mitchell Neighbourhood Plan:

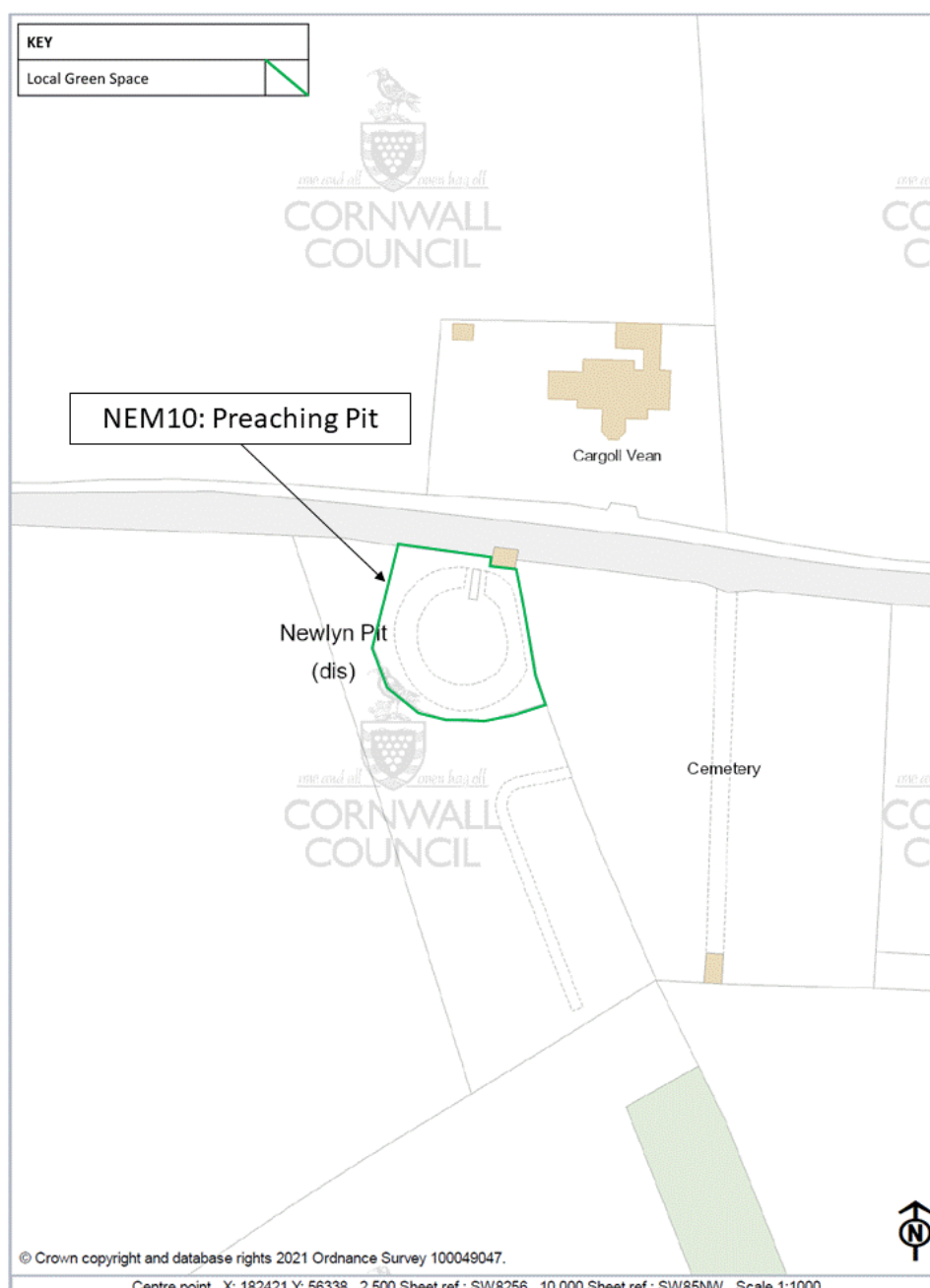
	Candidate Site	Recommendation	Reason
1	The Preaching Pit, Cargoll Road	Accept	Historic and social value
2	The Allotments, Neeham Road	Accept	Recreational and horticultural value
3	The War Memorial, the Butts	Accept	Amenity and social value
4	St Newlyn Churchyard	Accept	Important community site and historic setting
5	Mitchell Play Area	Accept	Recreational value for local community
6	Play Area, St Francis Meadow	Accept	Recreational value for local community
7	Ecology area, Tinnars Croft	Rejected	Limited community value, possible relocation

16. Members of the Steering Group are asked to agree the inclusion of six sites in the draft Neighbourhood Plan as areas that are subject to a local green space policy in the Plan. All sites included in the Plan will be subject to on-going scrutiny and independent examination. If local green space designation is subsequently deemed inappropriate, under the criteria of the NPPF, those sites would have to be deleted from the list.
17. It is recommended that the wording of the policy continues to be reviewed in the context of the sites that are to be designated as local green space.
18. Once the draft policy has been agreed, each site owner(s) should be written to, on behalf of the Steering Group, informing them that their land is included on a list of ‘local green spaces’ that may be subject to a specific policy in the Neighbourhood Plan. Their views on this matter should be invited and given consideration alongside other relevant comments received on the draft Plan.

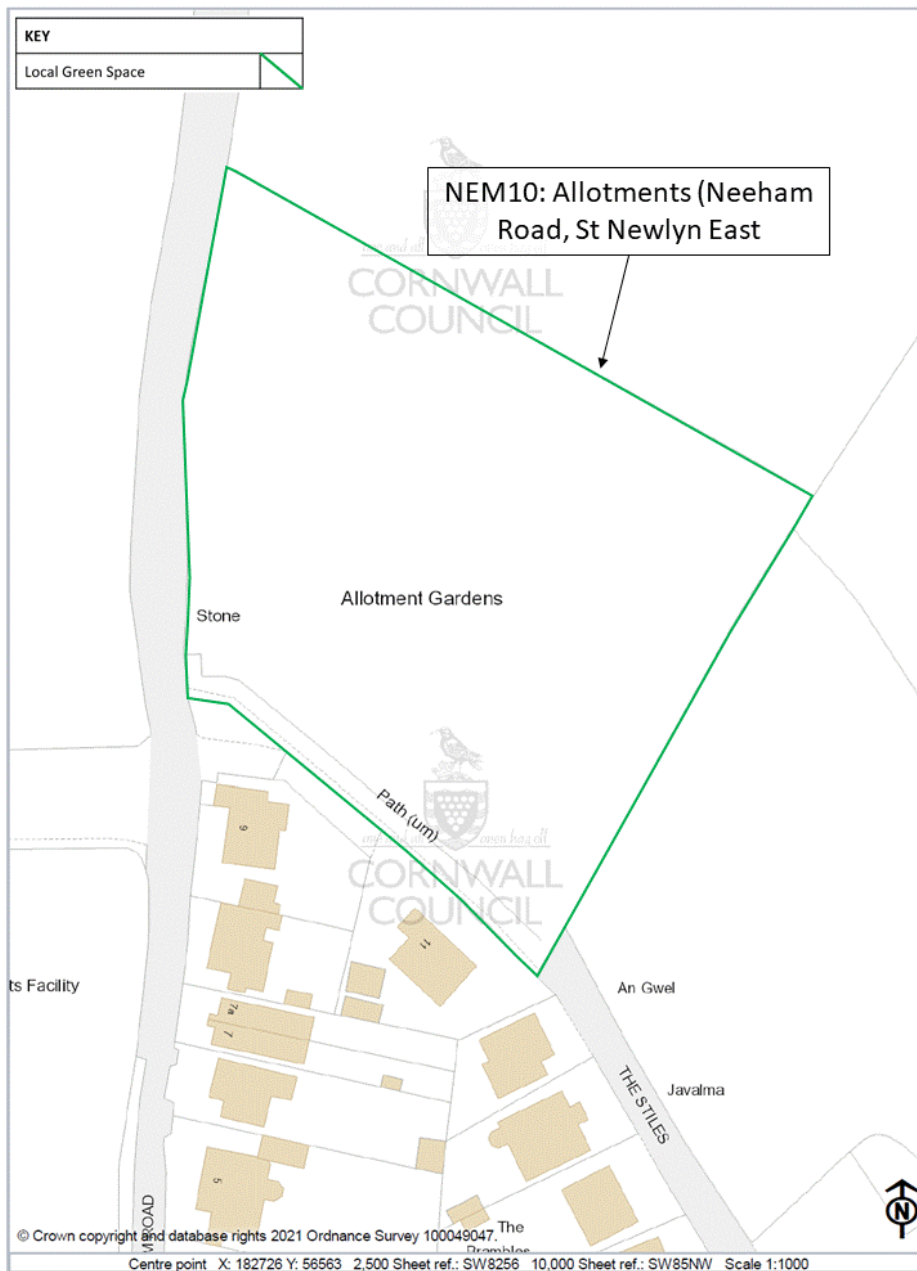
Appendix A

St Newlyn East and Mitchell Local Green Space Nominated Candidate Sites 2021/22

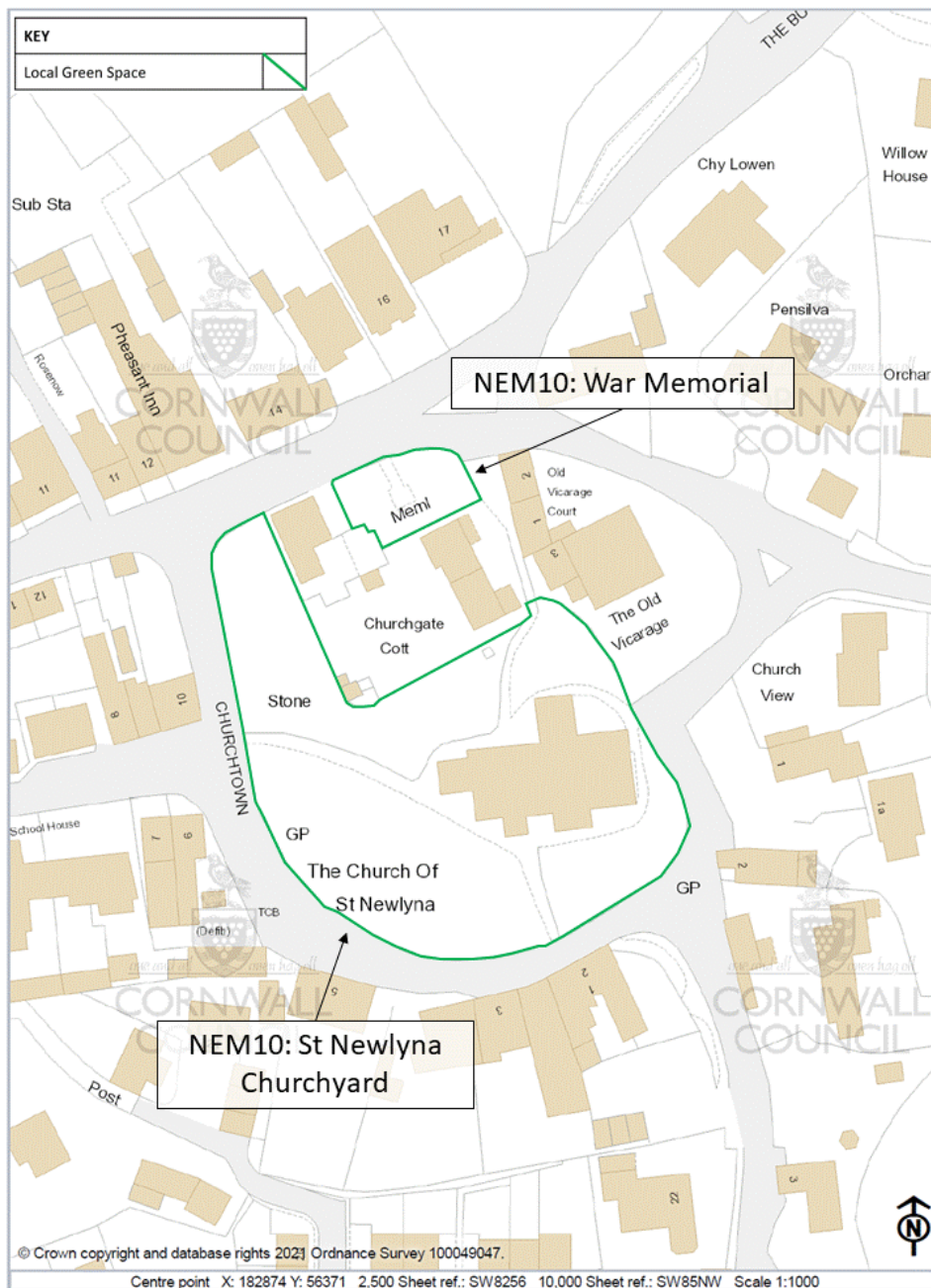
Basic Information:	Candidate Site 1
Name	The Preaching Pit
Address of site	Cargoll Road
Ownership of site, if known	St Newlyn East Parish Council (lease)
Current Use	Amphitheatre for community gatherings
Current Condition	Well maintained
Area of site, if known	Under 0.5ha.
Does the site feel as though it is part of the local area?	Yes
How far is the site from the community it serves?	A short walk from the village centre
Does the local community use the site?	Yes, for concerts, shows, plays etc
Site's significance e.g. <i>beauty, history, recreation, wildlife, amenity, other</i>	The Pit is an important part of the Parish Heritage as it was built to commemorate the East Wheal Rose Mining Disaster



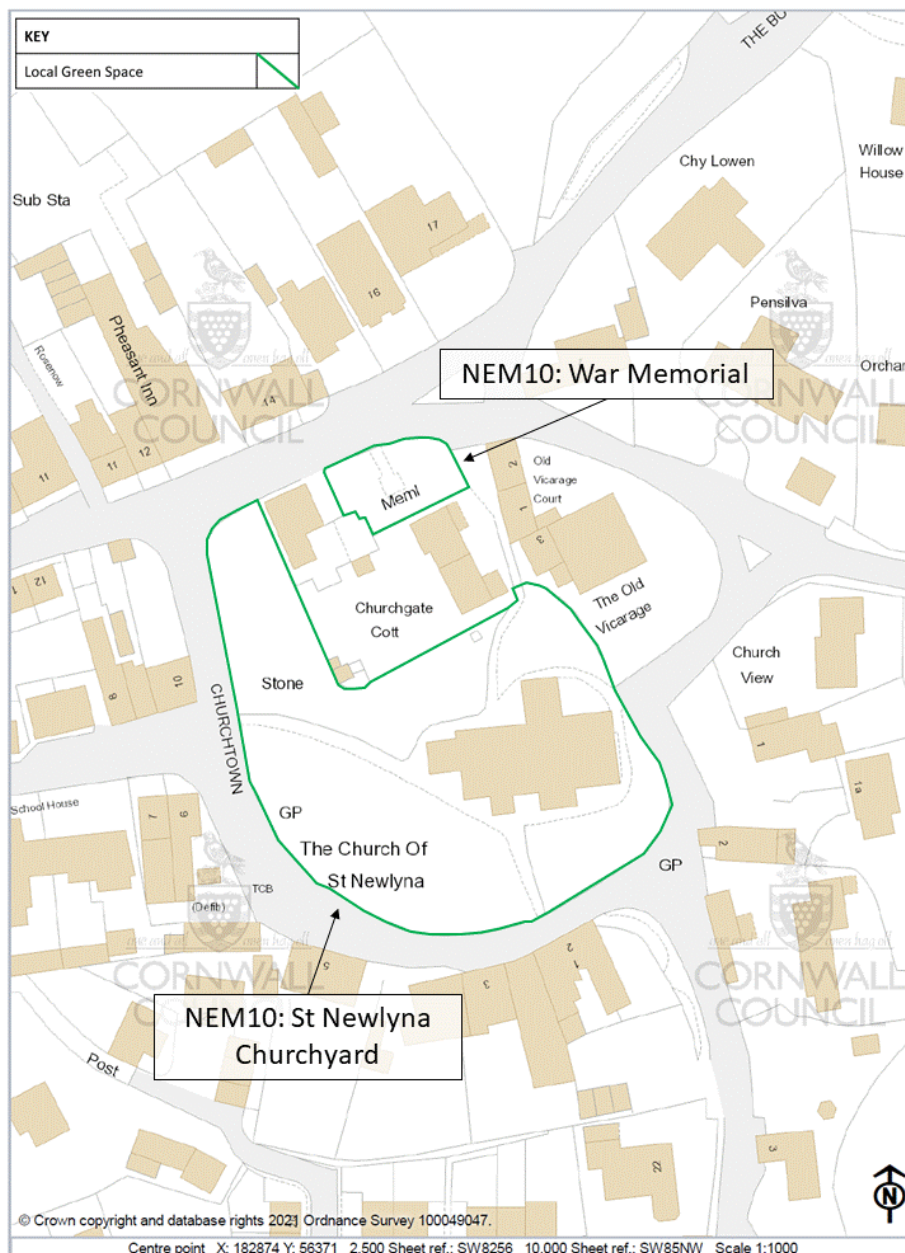
Basic Information:	Candidate Site 2
Name	The Allotments
Address of site	Neeham Road
Ownership of site, if known	St Newlyn East Parish Council (lease)
Current Use	allotments
Current Condition	Well used and maintained, with a waiting list
Area of site, if known	0.9ha.
Does the site feel as though it is part of the local area?	Yes
How far is the site from the community it serves?	A short walk from the village centre
Does the local community use the site?	Yes
Site's significance e.g. <i>beauty, history, recreation, wildlife, amenity, other</i>	Amenity, recreation



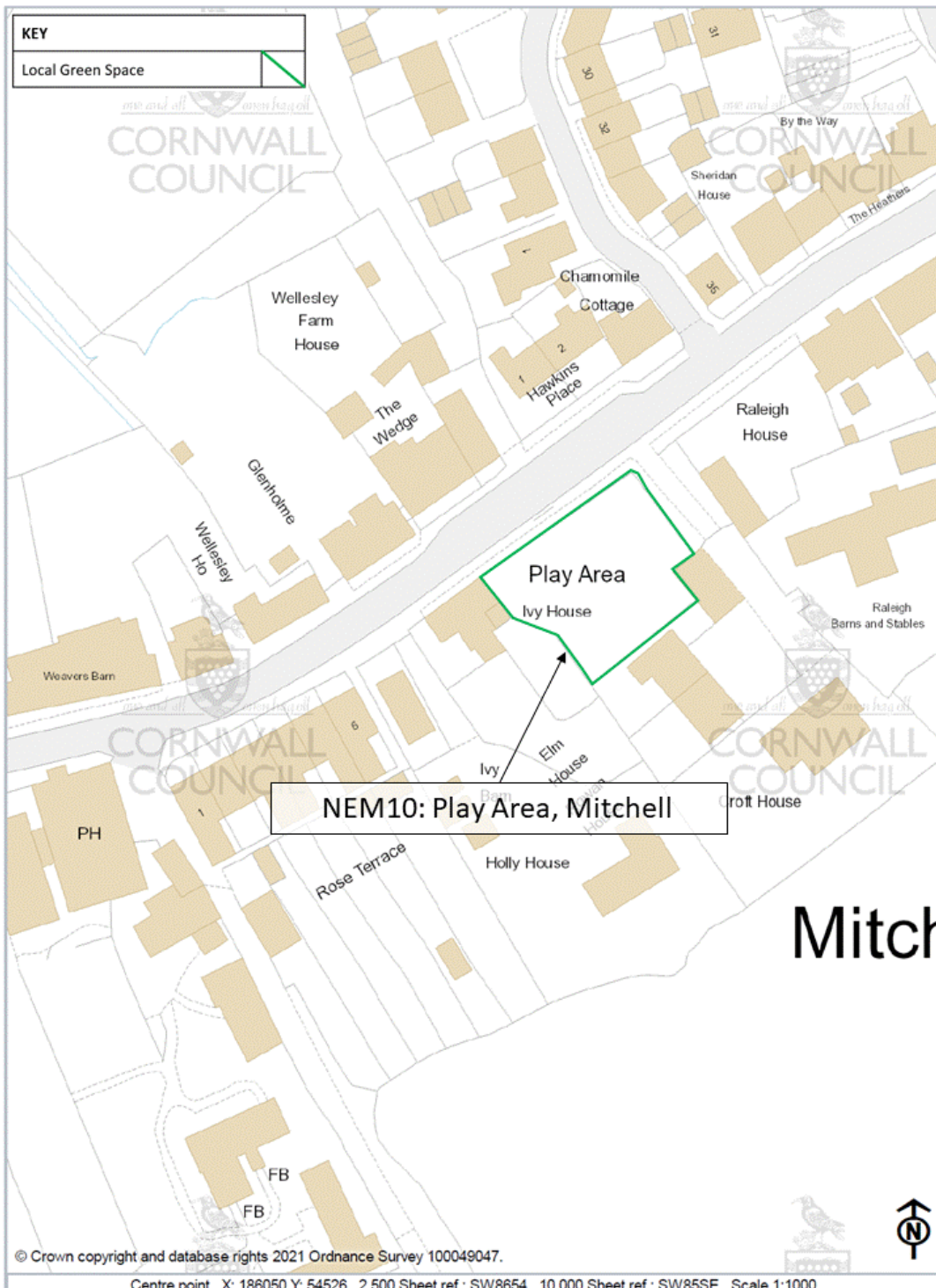
Basic Information:	Candidate Site 3
Name	War Memorial
Address of site	The Butts, St Newlyn East
Ownership of site, if known	St Newlyn East Parish Council
Current Use	War Memorial and amenity area
Current Condition	Well maintained
Area of site, if known	Under 0.5ha.
Does the site feel as though it is part of the local area?	Yes
How far is the site from the community it serves?	In the village centre
Does the local community use the site?	Yes
Site's significance e.g. beauty, history, recreation, wildlife, amenity, other	Historical monument, area of quiet contemplation



Basic Information:	Candidate Site 4
Name	St Newlyna Churchyard
Address of site	Churchtown, St Newlyn East
Ownership of site, if known	Diocese of Truro
Current Use	Former Churchyard (now closed for burials)
Current Condition	Very good. Grass is cut regularly by Cornwall Council.
Area of site, if known	Under 0.5ha.
Does the site feel as though it is part of the local area?	Yes
How far is the site from the community it serves?	In the village centre
Does the local community use the site?	Yes, on a daily basis
Site's significance e.g. beauty, history, recreation, wildlife, amenity, other	Village centre amenity space with wildflower area. Setting for the Church.



Basic Information:	Candidate Site 5
Name	Play Area
Address of site	Mitchell
Ownership of site, if known	St Newlyn East Parish Council
Current Use	Children's play area
Current Condition	Tidy, but play equipment needs to be upgraded
Area of site, if known	Under 0.5ha.
Does the site feel as though it is part of the local area?	Yes
How far is the site from the community it serves?	The site is within the settlement area
Does the local community use the site?	Yes
Site's significance e.g. <i>beauty, history, recreation, wildlife, amenity, other</i>	Safe play area for children and place for parents to meet



Basic Information:	Candidate Site 6
Name	Play Area
Address of site	St Francis Meadow, Mitchell
Ownership of site, if known	St Newlyn East Parish Council
Current Use	Play area
Current Condition	Maintained. Small program of improvement planned
Area of site, if known	Under 0.5ha.
Does the site feel as though it is part of the local area?	Yes
How far is the site from the community it serves?	Adjacent
Does the local community use the site?	Yes
Site's significance e.g. <i>beauty, history, recreation, wildlife, amenity, other</i>	Safe space for young children to play and parents to meet



Basic Information:	Candidate Site 7
Name	Ecology Area
Address of site	Tinners Croft, St Newlyn East
Ownership of site, if known	Ocean Housing
Current Use	Open space
Current Condition	Untidy
Area of site, if known	Under 0.5ha.
Does the site feel as though it is part of the local area?	No
How far is the site from the community it serves?	Adjacent
Does the local community use the site?	Yes
Site's significance e.g. <i>beauty, history, recreation, wildlife, amenity, other</i>	This is a wildlife and amenity area provided for local residents.



Basic Information:	Candidate Site 8
Name	
Address of site	
Ownership of site, if known	
Current Use	
Current Condition	
Area of site, if known	
Does the site feel as though it is part of the local area?	
How far is the site from the community it serves?	
Does the local community use the site?	
Site's significance e.g. <i>beauty, history, recreation, wildlife, amenity, other</i>	

Appendix B: Disregarded Sites:

Steering Group Suggested Sites

Community Nominated Sites	
Site/Location:	Reasoning:
Recreation Ground, St Newlyn East	An important community recreation area that is deserving of a policy reletting specifically to safeguarding and enhancing its recreation purpose and value
Parish Cemetery and extension area, Cargoll Road, St Newlyn East	Area not regarded as a community recreation or amenity area; and not at risk from development over the plan period

Community Nominated Sites from Plan Consultation

Community Nominated Sites	
Site/Location:	Reasoning:

