

Weymouth Neighbourhood Plan - Local Green Space Designation

Report by Paul Weston for the Weymouth NP Steering Group

July 2023

Purpose of Report

1. This report provides an evaluation of the various sites in the Weymouth neighbourhood area that are being considered for designation as 'Local Green Space' and to be subject to a policy in the Weymouth Neighbourhood Plan that protects them for what they are and from development.

Background

2. An interim Local Green Space Assessment Report was produced in October 2022, which was based on 19 sites that had been identified at the time as being worthy candidates for designation as Local Green Space (LGS) in accordance with the terms of the National Planning Policy Framework (NPPF). Recognising there may be many more candidate sites in the area, the Landscape and Green Space Theme Group strengthened the call for sites from town councillors and the local community via the consultation process.
3. By May 2023 approaching 50 sites had been 'listed' as potential LGS sites and subjected to a visit and assessment leading to a conclusion as to whether the land in question appeared to meet the required criteria for designation as Local Green Space, and a recommendation for LGS designation or otherwise. The individual site assessment schedules and maps can all be viewed in the TEAMS folder. The results of most of these assessments and recommendations were reported to the Steering Group meeting on the 15th May 2023. The Steering Group's site-by-site response to the recommendations are summarised in the Evaluation Table at the end of this report.

Legislative Background

3. The NPPF gives town, and parish, 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 protection in the Neighbourhood Plan. Designating a green area as LGS would give it protection consistent with that in respect of Green Belt.
4. The NPPF (para. 102)¹ states that *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.*
5. In addition to these criteria, national Planning Practice Guidance (PPG) advises: "*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*". Most significantly: *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*

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.

6. The designation of local green spaces must be done in line with criteria set out in the NPPF (para. 4 above) and demonstrated by providing a clear rationale and robust and proportionate evidence to demonstrate why the area is demonstrably special to a local community and holds a particular local significance. Local significance is generally not considered to be personal opinion but based around beauty, historic significance, recreational value and tranquillity and richness of wildlife. Care is required to ensure proper green space provision in the Plan and that the designation is not misused in order to prevent development or duplicate an existing environmental designation. Neighbourhood plans that seek to designate LGS for the wrong reasons run the risk of policy or site(s) deletion at examination in accordance with the basic conditions' tests.
7. 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 of a LGS is necessary and would serve a useful purpose.

Purpose of this Evaluation

8. Given the strict criteria of the NPPF, I have carried out an independent evaluation of the proposed designations using my knowledge and experience of the LGS designation and process and how it has most usually been applied during the scrutiny and examination process. My purpose has been to check that the proposed designation of each site is in line with criteria set out in the NPPF (para. 4 above) and demonstrated by a clear rationale and robust and proportionate evidence

Evaluation and Recommendations

9. Each of the evaluated sites has been subject to a survey and assessment during 2022/23. The information contained on these schedules has been reviewed to consider whether each of the sites meets the NPPF criteria sufficiently to merit a LGS designation. The results of my considerations are summarised in the Evaluation Table appendicised to this report.
10. The NPPF is quite stringent and specific in its criteria relating to local green space designation. There is now a significance body of 'evidence' of how they are being interpreted by examiners of neighbourhood plans. Some of the criteria have been tested subsequently in law.
11. As regards it being an **extensive tract** of land, the PPG² 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 needs to be 'local' in character.
12. 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 Weymouth neighbourhood area, I have asked:

² PPG = national Planning Policy Guidance

- 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?
 - How does the space connect physically, visually, and socially to the local area?
13. 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.
14. 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”*. I have looked for an indication that the community cares about the future of the space as a facility or amenity for the community to enjoy. I have been cognisant too of the NPPG’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”*.
15. The Evaluation Table has been produced as a means of summarising the assessment findings and my own conclusions after viewing the evidence. In the final column, I have included my own opinion as to whether each of the sites should be designated as a ‘Local Green Space’.
16. Members will note that I concur, without hesitation, with the Steering Group’s decision to designate or otherwise on all but 16 of the candidate sites. **I would recommend that the following sites are designated as Local Green Space:**

Ref.	Site Location
1	Land adj. Castle Cove Beach
3	Woodland btw. Grove Ave and Beaumont Ave
14	Telford Close Recreational Area
17	Community Orchard and Pond adj. to Littlemoor Road
18	Radipole Park and Gardens
19	Links Road Open Space
21	Green strip btw. The Finches and A354
22	Green Space btw. Sanderling Close and Reedling Close
26A	Peace Garden
28	Chapelhay Open Spaces
29	Land adj. to 19-42 Larkspur Close, Lodmoor
30	Westmacott Rd play area and surrounding green space
31	Land off Corfe Road and Tyneham Close
32	St. Johns Gardens, Weymouth
33	Land btw. Enkworth Road and Oakbury Drive, Preston
34	Woodland area off Oakbury Drive
35	Area north of Corfe Road and west of Tyneham Close, including Westmacott Play area
36	Bradford Road Green
37	Bradford Road Woodland Area
38	Tennyson Road Green
40	Open Space, Ryemead Lane, Wyke Regis
41	Douglas Road Play Area and Open Space, Wyke Regis
42	Wyke Gardens, Wyke Regis

43	Purbeck Close Green
44	Hillbourne Road Green
45	Down Close Green
46	Maple Close Recreation Area
47	Verge and copse at Springfield Road
48	Orchard off Brackendown Ave
49	Community Orchard west of Brackendown Ave

17. Several of the remaining sites were those where the Steering Group was uncertain whether a LGS designation was the best way to protect the site. After due consideration I have concluded that the following sites sufficiently meet the criteria to warrant designation and **I recommend that the following two sites are designated as Local Green Space:**

Ref.	Site Location	SG Decision	Consultant's Opinion
9	Elm Close Recreational Area incl. Oakbury Drive play Area	<i>Unsure but needs protecting</i>	An area of green space with trees that is integral to the residential areas and serves local play and recreation needs
23	Green Space btw. Kestrel View, Beverley Rd and Fieldfare Close	<i>Unsure but needs protecting</i>	An area of green space with trees that is integral to the residential areas and serves local play and recreation needs

18. I can also report that for a further ten sites, I am in agreement with the Steering Group that they do have sufficient merit as a green area of open space to warrant protection by the development plan, subject to other plan-making considerations. However I am not convinced that they sufficiently meet the LGS criteria and, in that case, rather than risk them being rejected by the scrutiny process **I recommend that the Steering Group considers whether they should be the subject of alternative, more relevant policies within the Neighbourhood Plan if they are to be protected.** My reasoning for suggesting an alternative policy approach is set out below for members to consider. In several cases a more bespoke policy approach may better serve to protect and enhance what is considered special about a location.

Ref.	Site Location	SG Decision	Consultant's Opinion	Alternative Policy Approach
2	Hurdlemead	<i>Accepted</i>	A large area of active farmland adjacent to the residential area with restricted community access and use requiring the owner's permission. It is already protected by countryside policies in the LP.	If additional policy protection is considered necessary for countryside areas, then a bespoke policy could be included in the NP.
4	Field adj. to Hurdlemead off Elwell Street, Upwey	<i>Unsure but needs protecting</i>	An area of active farmland adjacent to the residential area with restricted community access and use. It is already protected by countryside policies in the LP.	If additional policy protection is considered necessary for countryside areas, then a bespoke policy could be included in the NP.
5A	Wey Valley Watermeadows Field A	<i>Unsure but needs protecting</i>	Part of a large area of countryside close to an expanding residential	A draft policy identifying areas of nature conservation is included

			area, which has been divided by ownership. It has much wildlife and restricted public access that may be better protected by recognising the area as a 'area of nature conservation' comparable with other local areas.	in the current draft NP this could name and include Wey Valley Watermeadows but will require evidence of its qualities, habitats, and species.
5B	Wey Valley Watermeadows Field B	<i>Unsure but needs protecting</i>	Part of a large area of countryside close to an expanding residential area, which has been divided by ownership. It has much wildlife and restricted public access that may be better protected by recognising the area as a 'area of nature conservation' comparable with other local areas.	A draft policy identifying areas of nature conservation is included in the current draft NP this could name and include Wey Valley Watermeadows but will require evidence of its qualities, habitats, and species.
12	All the green spaces within Southill Garden Village	<i>Unsure but needs protecting</i>	Over 40 individual areas of green space that are an integral part of the layout of the residential area and serving a variety of purposes. Several individually would meet the LGS criteria, several may not.	A specific policy protecting 'areas of incidental open space in residential areas' may be a more appropriate policy device. It could also be used for other residential areas. Such a policy is included in the current draft version of the NP (Policy WNP12). The same policy has worked on Portland.
13	Field adj. to Southill Garden Drive	<i>Unsure but needs protecting</i>	An area of active farmland adjacent to the residential area with restricted community access and use.	If additional policy protection is considered necessary for countryside areas, then a bespoke policy could be included in the NP.
20	Bowleaze Cove Open Space	<i>Unsure but needs protecting</i>	An area with coastal characteristics and significant tourist appeal that may be better served by a policy that not only protects what is special but enables sensitive change and enhancement.	A specific policy that focuses on the unique characteristics and opportunities of coastal fringe areas with public access may be more appropriate for this site along with other sites in a coastal location. Such a policy is included in the current draft version of the NP (Policy WNP08). The SG needs to consider the prime

				reason for protecting the current site.
26	Nothe Gardens	<i>Unsure but needs protecting</i>	An extensive mixed activity area with significant tourist appeal that may be better served by a policy that not only protects what is special but enables sensitive change and enhancement. The separate Peace Garden site does meet the LGS criteria and should be designated	If the NP includes a specific policy that focuses on the unique characteristics and opportunities of coastal fringe areas with public access, this may be more appropriate for this site. Such a policy is included in the current draft version of the NP (Policy WNP08). The SG needs to consider the prime reason for protecting the current site.
27	Bincleaves Open Space	<i>Unsure but needs protecting</i>	An area with coastal characteristics and significant tourist appeal that may be better served by a policy that not only protects what is special but enables sensitive change and enhancement.	A specific policy that focuses on the unique characteristics and opportunities of coastal fringe areas with public access may be more appropriate for this site along with other sites in a coastal location. Such a policy is included in the current draft version of the NP (Policy WNP08). The SG needs to consider the prime reason for protecting the current site.
39	Wyke Playing Field	<i>Accepted</i>	Very evidently a sports and recreation site that would be better served by a policy that recognises its recreation significance and potential and enables changes and improvements in response to local demands.	The Draft NP includes a draft policy (WNP49) that protects existing sports and recreation areas supports improvements and additional facilities if required.

19. A further four areas have been nominated late in the process (see table overleaf). At the time of writing the Steering Group has not taken a decision on these. However, having given the evidence due consideration I have concluded that in every case the land in question is an extensive area of countryside and farmland with limited community access and use. Moreover, each of the 'sites' is currently protected by policies in the Local Plan. **It is recommended that the Steering Group rejects the LGS designation for the following areas of land and considers, in due course in the context of the whole plan and plan-making, whether further policy protection in the Neighbourhood Plan is necessary.**

Ref.	Site Location	SG Decision	Consultant's Opinion
50	Grassland (Area 1) at Southdown		Part of a large area of countryside and active farming land which has been divided by field boundaries and ownership. It is adjacent to a residential area. It has restricted public footpath access.
51	Grassland (Area 2) at Southdown		Part of a large area of countryside and active farming land which has been divided by field boundaries and ownership. It is at some distance from residential areas. It has no public access within the site.
52	Grassland (Area 3) at Southdown		Part of a large area of countryside and active farming land which has been divided by field boundaries and ownership. It is adjacent to a residential area. It has restricted public footpath access.
53	Farmland west of Wyke Oliver Farm		An extensive area of countryside and active farming land with restricted public access.

20. On the matter of ownership and the views of landowners, it should be noted that a Local Green Space does not need to be in public ownership. The neighbourhood plan-making group is required to contact landowners at an early stage about proposals to designate any part of their land as LGS. All relevant reasons for objection or in support of designation should be given due consideration, but there is no right of veto even from a public authority. The response that has been received from landowners, or their representatives, is included in the Evaluation Table in the Appendix. Landowners will have on-going opportunities to make representations in respect of proposals in the draft Neighbourhood Plan.
21. Proposals to designate named sites as 'Local Green Space' to be protected by a policy in the Neighbourhood Plan, will be subject to on-going scrutiny; first by the community and local stakeholders when the Plan is put out for consultation under regulations 14 and 16 of the Neighbourhood Planning Regulations³; and second, by the independent examiner appointed by the local planning authority, who will take a keen interest in the appropriateness of the sites proposed for designation and any representations received regarding them.

WNP/PW/Jul23

³ <https://www.legislation.gov.uk/uksi/2012/637/regulation/14/made>

Weymouth Local Green Space Evaluation July 2023

Weymouth Local Green Space Evaluation July 2023												
No.	Name/Address	Working Group Assessment								Owner's View	SG Decision regarding LGS	Consultant's Opinion Should it be designated as LGS?
		Extensive tract of land?	In proximity to community it serves	Demonstrably Special for:								
				Beauty	Historical significance	Recreational value	Richness of wildlife	Tranquillity	Other			
1	Land adj. Castle Cove Beach	No	Yes	✓	✓	✓	✓	✓		None Yet (Commodores Row Management Ltd, Wyvern Bover Ltd, Craig)	Accepted 15 May 23	Yes
2	Hurdlemead	Yes (5.5ha)	Yes	✓	✓	✓	✓	✓		Opposed – <i>farmland that does not meet the LGS criteria</i> (Bayard Farm Trust)	Accepted 15 May 23	No Large area of farmland with limited community use. Should be protected by other policies in the NP/LP.
3	Woodland btw. Grove Ave and Beaumont Ave	No	Yes			✓	✓	✓		Objects - <i>possibility that this site could be developed for housing</i> (Dorset Council)	Accepted 15 May 23	Yes
4	Field adj. to Hurdlemead off Elwell Street, Upwey	Yes (1.95ha)	No			✓	✓	✓		Opposed– <i>farmland that does not meet the LGS criteria</i> (Bayard Farm Trust)	Unsure but needs protecting 15 May 23	No Area of farmland with limited community use. Should be protected by other policies in the NP/LP.
5A	Wey Valley Watermeadows Field A	Yes (1.7ha)	No	✓	✓	✓	✓	✓		None received (M Stewkesbury)	Unsure but needs protecting 15 May 23	No Area of countryside, may be better protected by draft policy WNP03 that recognises it as an area of nature conservation
5B	Wey Valley Watermeadows Field B	Yes (3.5ha)	No	✓	✓	✓	✓	✓		None received (Oddfellows)	Unsure but needs protecting 15 May 23	No Area of countryside, may be better protected by draft policy WNP03 that recognises

												it as an area of nature conservation
9	Elm Close Recreational Area	No	Yes			✓	✓	✓		Objects - <i>northern part of the site should be removed</i> (Dorset Council)	Unsure but needs protecting 15 May 23	Yes
12	All the green spaces within Southill Garden Village	No	Yes	✓		✓	✓	✓		Unsure about LGS designation (Weymouth TC)	Unsure but needs protecting 15 May 23	No May be better protected in aggregate by draft policy WNP12 as incidental open space within residential area
13	Field adj. to Southill Garden Drive	Yes (1.1ha)	Yes	✓		✓	✓	✓		Objects - <i>could hinder the wider development of the whole site</i> (Dorset Council)	Unsure but needs protecting 15 May 23	No Area of farmland with limited community use. Should be protected by other policies in the NP/LP.
14	Telford Close Recreational Area	No	Yes			✓	✓	✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
16	Remembrance/Memory Garden, Littlemoor	No	Yes	✓		✓	✓	✓		Objects – <i>highways land</i> (Dorset Council)	Rejected 15 May 23	No Highway land
17	Community Orchard and Pond adj. to Littlemoor Road	No	Yes			✓	✓	✓		Objects – <i>would restrict ability to make any amendments in the future to the highway</i> (Dorset Council)	Accepted 15 May 23	Yes
18	Radipole Park and Gardens	Yes (6.6ha)	Yes	✓	✓	✓	✓	✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes Despite size it is ‘local in character’
19	Links Road Open Space	No	Yes	✓		✓	✓	✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
20	Bowleaze Cove Open Space	Yes (3.7ha)	No	✓	✓	✓	✓	✓		Supports LGS designation (Weymouth TC)	Unsure but needs protecting 15 May 23	No May be better protected by draft policy WNP08 as a coastal recreation area
21	Green strip btw The Finches and A354	No	Yes	✓		✓	✓	✓		Objects- <i>highways land</i> (Dorset Council)	Accepted 15 May 23	Yes
22	Green Space btw Sanderling Close and Reedling Close	No	Yes	✓		✓	✓	✓		Objection – <i>awaiting BNG suitability assessment</i> (Synergy Housing Limited).	Accepted 15 May 23	Yes

23	Green Space btw Kestrel View, Beverley Rd and Fieldfare Close	No	Yes	✓		✓	✓	✓		Objects - <i>potential to accommodate affordable homes</i> (Chapman Lily Planning for Rapide)	Unsure but needs protecting 15 May 23	Yes
24	Recreation area adj. to Southill Garden Drive	No	Yes			✓				Objects - <i>could hinder wider development</i> (Dorset Council)	Rejected 15 May 23	No May be better protected by draft policy WNP49 as a sports and recreation area
25	Lodmoor Country Park	Yes (30ha)	No	✓		✓	✓	✓		Supports LGS designation (Weymouth TC)	Rejected 15 May 23	No May be better protected by draft policy WNP03 as an area of nature conservation
26	Nothe Gardens	Yes (6.2ha)	No	✓	✓	✓	✓	✓		Supports LGS designation (Weymouth TC)	Unsure but needs protecting 15 May 23	No Large mixed-use area. Better protected by draft policy WNP08 as a coastal recreation area
26A	Peace Garden	No	Yes	✓	✓	✓		✓		Supports LGS designation (Weymouth TC)		Yes
27	Bingleaves Open Space	No	Yes	✓	✓	✓	✓	✓		Supports LGS designation (Weymouth TC)	Unsure but needs protecting 15 May 23	No May be better and more appropriately protected by draft policy WNP08 as a coastal recreation area
28	Chapelhay Open Spaces	No	Yes			✓	✓	✓		None Yet (Aster Homes)	Accepted 15 May 23	Yes
29	Land adj. to 19-42 Larkspur Close, Lodmoor	No	Yes	✓		✓		✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
30	Westmacott Rd play area and surrounding green space	No	Yes	✓		✓	✓	✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
31	Land off Corfe Road and Tyneham Close	No	Yes	✓		✓	✓	✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
32	St. Johns Gardens, Weymouth	No	Yes			✓	✓	✓		Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
33	Land btw. Enkworth Road and Oakbury Drive, Preston	No	Yes	✓	✓	✓	✓	✓		No objection - <i>if boundary is amended, part of site considered for housing</i>	Accepted 15 May 23	Yes

									(Dorset Council)		
34	Woodland area off Oakbury Drive	No	Yes	✓	✓	✓	✓	✓	Supports LGS designation (Dorset Council)	Accepted 15 May 23	Yes
35	Area north of Corfe Road and west of Tyneham Close, including Westmacott Play area	No	Yes			✓	✓	✓	Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
36	Bradford Road Green	No	Yes		✓	✓	✓	✓	Objection – <i>awaiting BNG suitability assessment</i> (Synergy Housing Limited).	Accepted 15 May 23	Yes
37	Bradford Road Woodland Area	No	Yes		✓	✓	✓	✓	Objection – <i>awaiting BNG suitability assessment</i> (Synergy Housing Limited).	Accepted 15 May 23	Yes
38	Tennyson Road Green	No	Yes		✓	✓	✓	✓	Objection – <i>awaiting BNG suitability assessment</i> (Synergy Housing Limited).	Accepted 15 May 23	Yes
39	Wyke Playing Field	Yes (2.7ha)	Yes			✓	✓	✓	Supports LGS designation (Weymouth TC)	Accepted 15 May 23	No Very evidently a large sports area. Better protected by draft policy WNP49 as a sports and recreation area
40	Open Space, Ryemead Lane, Wyke Regis	No	Yes	✓		✓	✓	✓	Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
41	Douglas Road Play Area and Open Space, Wyke Regis	No	Yes			✓		✓	Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
42	Wyke Gardens, Wyke Regis	No	Yes			✓		✓	Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
43	Purbeck Close Green	No	Yes			✓		✓	Supports LGS designation (Weymouth TC)	Accepted 15 May 23	Yes
44	Hillbourne Road Green	No	Yes	✓		✓		✓	Objection – <i>awaiting BNG suitability assessment</i> (Synergy Housing Limited).	Accepted 15 May 23	Yes
45	Down Close Green	No	Yes			✓	✓	✓	Objection – <i>awaiting BNG suitability assessment</i>	Accepted 15 May 23	Yes

[illegible]