

Report on the possible protection of allotment land

1.0 Introduction

- 1.1** At the meeting on 6th June, the Open Spaces Committee requested the Deputy Clerk investigate whether the allotments could be protected by designating them as a village green.

2.0 Report Details

- 2.1** **Anyone can apply to register land as a town or village green under s.15(1) of the Commons Act 2006.** Information on registering land as a town or village green how to apply for village green status can be found on gov.uk website: [Town and village greens: how to register - GOV.UK \(www.gov.uk\)](https://www.gov.uk/town-and-village-greens-how-to-register) There is also a gov.uk factsheet at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/456530/commonsact-factsheet5.pdf
- 2.2** An application must include evidence that the land has been used by a significant number of local people for recreation 'as of right' (ie: without permission, without force and without secrecy) for at least 20 years. In Wroughton, an allotment is only available to someone who has permission from the Parish Council and who pays for the privilege or right to do so. There is no general right for anyone to use the land for any purposes other than to work an allotment. On that basis, it's our understanding that any application to designate the allotments as a village green would fail.
- 2.3** **There is a possible alternative means of protecting land through the Local Green Space Designation via the planning system.** Local communities can identify green spaces through the local and neighbourhood planning process. There is some very useful information and explanation from Gloucester County Council here: <https://www.gloucester.gov.uk/media/3428/pdf-2.pdf>
- 2.4** Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. This designation is for use in Local Plans or Neighbourhood Plans. Adopted plans can identify on a map ('designate') green areas for special protection. Any type of green space could be suitable for Local Green Space designation from recreational land with a sports pavilion or the area around a war memorial to allotments or an urban space that provides a tranquil oasis.
- 2.5** The National Planning Policy Framework (NPPF) has been updated to allow for local communities to identify local green spaces for special protection. For land to be designated the green space would need to meet a range of criteria.- NPPF Policy Context (PDF, 114.7 KB) NB: The allotment site is slightly larger than 4 ha.

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2.6 The NPPF provides the following information on Local Green Space designations –
76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *where the green space is in reasonably close proximity to the community it serves;*
- *where the green area is 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*
- *where the green area concerned is local in character and is not an extensive tract of land.*

78. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts. Additional guidance is provided in the National Planning Practice Guidance.

2.7 Both SBC's Local Plan and Wroughton Neighbourhood Plan run to 2026. The allotments are not currently designated as local green space. The committee could consider recommending to Full Council that when the draft Local Plan is available and when Wroughton Neighbourhood Plan is reviewed, WPC considers requesting that the allotments are designated as local green space in both. It is important to remember that for a neighbourhood development plan or order to be successful, it needs to be in general conformity with the strategic policies of the existing development plan for the local area. It is understood that SBC's current intention is to consult on the draft Local Plan in Autumn 2023: [Swindon Local Development Scheme | Swindon Borough Council](#) (timetable as set out at P5 of 'Swindon Borough Local Development Scheme January 2023').

3.0 Recommendations

3.1 That the Open Spaces Committee makes a recommendation to Full Council that when the draft Local Plan is available for consultation, and when Wroughton Neighbourhood Plan is reviewed, WPC considers requesting that the allotments are designated as local green space in both.