



# North York Moors Local Plan

## Community Spaces

### Topic Paper

This paper describes a potential approach to how we could identify areas of community spaces within settlement in the new North York Moors Local Plan. The spaces have been identified because of their value to the community.

**July 2018**

# Contents

## Contents

Summary.....	3
1. Introduction .....	3
2. Policy Context .....	3
3. North York Moors National Park Context.....	5
4. The Current Approach to Community Spaces .....	5
5. Proposed Approach.....	5
6. How this relates to the identification of Local Green Space .....	6
7. Types of Community Spaces Identified .....	6
8. Consultation Outcomes .....	7

## Summary

This Topic Paper provides background information on the work carried out in identifying Community Spaces to support the Preferred Options consultation.

The concept of sustainable development is an approach to development that looks to balance different and often competing needs against an awareness of the environmental, social and economic limitations we face as a society. All too often, development is driven by one particular need, without fully considering the wider or future impacts. This work identifying Community Spaces is considered to meet the social role of sustainable development by supporting strong, vibrant and healthy communities, and by creating a high quality built environment with accessible local services that reflect the community's needs and support its social and cultural well-being.

The Authority has carried out a separate piece of work assessing the provision of open space across the National Park. This assessment looks at the existing provisions of open space (outdoor sports, indoor sports, allotments, informal recreation and provision for children and young people) in order to identify settlements where there is a provision deficit. The findings of this work will then be used as a planning tool to seek onsite or financial contributions where appropriate as part of new development in order to improve the quality and/or accessibility to open spaces. This work forms part of the Evidence Base for the Local Plan.

The Authority has also carried out work identifying visually important spaces within the settlements outlined in the settlement hierarchy in order to protect their rural character and appearance. A separate Topic Paper has been produced to explain this process further.

## 1. Introduction

1.1 The purpose of this Topic Paper is to:

1. Set out the national and local policy context for considering the identification of community spaces.
2. Provide information on why we need to identify these spaces.
3. Provide information on the process undertaken to identify these spaces.
4. Outline the policy which would apply to these spaces.

1.2 The paper is presented to assist discussion on the inclusion of these spaces as part of the Preferred Options consultation. Comments raised as part of this consultation will help feed into further stages of the emerging Local Plan and therefore nothing in this paper should be taken to represent a definite future direction of policy.

1.3 In addition to the identification of Community Spaces, the Authority has carried out an Open Space Assessment to identify the deficits of open space, sports and recreational facilities across the National Park and this work can be found in the Local Plan Evidence Base web pages.

## 2. Policy Context

### National Park statutory purposes and duty

2.1 The Environment Act 1995 sets out two statutory purposes for National Park Authorities:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of National Parks, and
  2. To promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public.
- 2.2 Section 62 of The Environment Act goes on to place a duty on National Park Authorities in pursuing these purposes “to seek to foster the economic and social well-being of local communities within the National Park”.
- 2.3 Declining rural services and facilities could undermine the sustainability of rural communities and have a disproportionately greater impact on those who most rely on them such as the elderly, disabled and those without access to a car. It is therefore important that rural services and facilities are maintained.

### **National Planning Policy (NPPF, 2018)**

- 2.4 The Local Plan must be in accordance with policies in the National Planning Policy Framework (NPPF). The NPPF advises Local Planning Authorities to prepare a list of spaces that are important to local communities. These spaces could include playgrounds, churchyards and sports fields. In addition:
- Paragraph 83 – “To promote a strong and rural economy, local and neighbourhood plans should...promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship”.
  - Paragraph 92 – “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments, and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”

### **National Park Management Plan**

- 2.5 The National Park Management Plan 2012 (as amended in 2017) is the strategic framework for the future of the National Park setting out how the Authority will fulfil its statutory purposes and meet the socio-economic duty. One of the aims in the Communities section is that the sustainability of local communities will be improved by supporting the provision of new facilities and resisting the loss of uses which provide an important service to local communities.

### **The Helmsley Plan**

- 2.6 The Helmsley Plan was produced jointly with Ryedale District Council and adopted by the National Park Authority in July 2015. It sets out the future development of the town up to 2027 and is in accordance with the current Core Strategy. The Helmsley Plan sits within the area covered by the emerging Local Plan and will remain in force, so it is important that the emerging policies do not conflict with those in the Helmsley Plan. Its policy seeks to resist the loss of community facilities unless it is no longer viable for the current use, or a suitable alternative replacement facility is provided.

### 3. North York Moors National Park Context

- 3.1 The remote nature of the North York Moors and its dispersed pattern of small rural settlements mean that facilities within the National Park are often limited. There are strong cross boundary relationships with the larger towns outside the National Park, such as Pickering, Scarborough, Whitby, Guisborough and Thirsk, which provide communities with a greater range of facilities; however this increases the need to travel which can have significant implication for those without access to transport. The tourism industry also supports local facilities.
- 3.2 There is no control over the closure of facilities; however in its role as the local planning authority, the National Park Authority can seek to add greater weight to the retention of important community facilities and services. Their identification as Community Spaces is one part of this process along with the relevant policies contained within the Local Plan.

### 4. The Current Approach to Community Spaces

- 4.1 The existing Core Strategy does not specifically identify community spaces but instead seeks to resist the loss of community facilities unless it can be demonstrated that the facility is no longer suitable or viable for a community use, as outlined in Core Policy I.

### 5. Proposed Approach

- 5.1 The work carried out so far identifies the known community facilities within the settlements listed in the Settlement Hierarchy. These are spaces which have been identified by both officers and local communities as being important and valued by them. These spaces provide a public benefit which contributes to the health and well-being of the local community such as sports fields, play areas, churchyards, village halls and allotments.
- 5.2 These are also spaces which provide a recreational benefit and are generally open to the public to use, although in some cases this is not unrestricted access such as Village Halls. Officers have started to identify these spaces and are also cross referencing with Ordnance Survey Open Data. These spaces will be mapped on the Authority's GIS and also shown on the Policies Map. An accompanying policy has been written which seeks to maintain these facilities.
- 5.3 Draft Policy:

#### ***Policy CO5 – Community Spaces***

*Development proposals which would lead to the loss of or significant harm to the qualities or functions of an identified Community Space will not be permitted unless it can be demonstrated that the space is no longer needed, or a suitably located replacement of at least equivalent standard is secured.*

- 5.4 The NPPF requires us to identify quantitative and qualitative deficits or surpluses of open space, sports and recreational facilities in the area, and this has been done separately through the Open Space Assessment.
- 5.5 Paragraph 28 of the NPPF also seeks to protect other local services such as village shops and public houses. Facilities with a commercial use have not been considered as part of this process, as Strategic Policy L and in particular the requirement for an applicant to undergo a viability and marketing test would apply to these types of facilities.

## 6. How this relates to the identification of Local Green Space

- 6.1 This approach offers similarities to the Local Green Space designation as outlined in the NPPF. However officers consider that LGS designation may not be appropriate for the National Park given the wealth and richness of recreational space settlements have on their doorstep. Officers have therefore taken the view that our approach to community space should be driven by the value the space/facility brings to the community.
- 6.2 Furthermore, Local Green Spaces are afforded equivalent status to an urban Green Belt which is designed to protect openness rather than open spaces per se. For example it would allow development of the space for new buildings for agriculture and forestry as well as limited infilling, which would undermine the reason for identifying these spaces. On this basis, a more cautionary approach has been adopted, although elements of the Local Green Space designation have been taken in the approaches being proposed.
- 6.3 A separate piece of work has been carried out which assesses the existing provision of recreation space, looking at outdoor sports provision, indoor sports provision, allotments, informal recreation and provision for children and young people and identifies settlements where there is a deficit.
- 6.4 Also, the Local Plan identifies visually important spaces which have been identified to address the spaces which add value to the historic environment.

## 7. Types of Community Spaces Identified

- **Playing Fields, Play Areas, Parks, Allotments, Churchyards**

These spaces are generally open to the public and provide a service to the local community through recreation, sports, play or quiet spaces for contemplation (e.g churchyards). Often spaces are owned by the local Council, Parish Council or the Diocese and not in private ownership.

- **Village Halls, Chapels or Other Buildings**

These are buildings which are used by the local community and provide a community service. Due to the small rural nature of the National Park's villages, these buildings are often multi-functional providing spaces for Councils to hold meetings, play groups, activity groups, etc.

- **Un-Registered Village Greens**

Registered Village Greens and areas of Common Land are intrinsic features within some villages and provide important community spaces. Statutory designation of these areas already provide protection to development and as such are not considered to be at risk, however un-registered village greens provide important amenity value for residents and should be identified as Community Spaces.

- **Other Spaces**

There may be other kinds of spaces which aren't as easily identifiable or defined as those mentioned above. Such areas could be small areas of woodland within or close to the village which local residents have access to. Often these areas are used by dog walkers or provide a peaceful area for residents and visitors to enjoy. Where such spaces exist, the use of the area should provide additional value and benefits such as recreation space, benches, seats etc where their use should make an important

contribution to the health and well-being of the local community. Generally these spaces offer informal use and do not form public rights of way.

## **8. Consultation Outcomes**

**Current Thinking Consultation 5 October to 24 November 2017**

***Q11. Do you agree with the types of land that we are proposing to identify as 'Community Spaces'? If not, are there any types that you would like to see added or removed?***

The changes made as a result of public comments are outlined below:

**Current Thinking Consultation:**

Village	Ref. No	From who	Reason for objection/Support	Officer response	Outcome
Aislaby	New	Parish Council	Wish to add the area that is opposite/adjacent to the War Memorial, which is designated as Common Land under the auspices of Aislaby Parish Council on the Commons Register, as an Important Undeveloped Space.	The space behind the War Memorial is not shown as Common Land and should be added as a CS as it is used for quiet contemplation.	New space to be added
Coxwold	New	Parish Council	We would like to see the footpath from the railway bridge to the rifle range included in this category	Officers have met with a representative of the Parish Council and advised that currently the space is not considered suitable for identification. Further assistance will be provided to develop the project further, with a view to possibly adding this space at a later date, either before Submission or at a 5-yearly review.	Space not added but officers to review at a later date
Cloughton	Query	Parish Council	Query where the allocated allotments are?	Error identified	Space deleted
Cloughton	New	Parish Council	The playground (outlined red on the attached map) needs to be community spaces.	Playground had not been included and should be added as a CS	New space to be added
Cloughton	New	Parish Council	Quiet area (outlined orange on attached map) need to be community spaces.	Land adjacent to Play Area off Cloughton High Street. To be added to the List of CS	New space to be added
Cloughton	New	Parish Council	The coastline and the 'cinder track'	Footpaths are not included as CS, as they are highway land.	Do not add
Egton	CS03	EC Marsh	I would suggest that more of the show field should be included.	If the space is used in connection with the snowfield it is appropriate to included.	New space to be added

	Extended				
Egton	New	Parish Council	This is the small triangular paddock on the opposite side of the road to CS-03, behind the monument. It is owned by the Parish Council and used for the fairground on Show day.	Add triangular site and memorial triangle as Community Space.	New space to be added
Fylingthorpe	CS-01	Parish Council	Areas IUS07 and CS01 are not separate areas. The fence is purely to keep dogs out of the play equipment section and toddlers in. Both sections form the Kingston Field Memorial Play Area which is a registered Charity under the control of Fylingdales Parish Council.	It is considered appropriate to change Merge IUS07 and CS 01, retaining it as a Community Space.	Merge spaces
Goathland	CS04 Object	T Beaumont	The pet cemetery is a private facility on private land. Non-residents used to pay a one-off fee for the internment of their pets. It is already identified on the deeds of the land as not to be removed or developed. There is no public right of access and as such should not be regarded as a public space and should not be included in your proposed scheme.	If the land is in private ownership and not accessible by the public the space should be deleted as a CS.	Space deleted
Helmsley	CS04 Object	Helmsley Estate Town Council	The area is not allotment. Object, no reason given.	Private arrangement between Helmsley Estate and tenants therefore delete space.	Space deleted
Ingleby Greenhow	New	Parish Council	Request that the school playing field be added to the identified community spaces as it has the benefit of a public right of way and has always been open access, and used for informal play by local youngsters.	School playing fields are not included as there is not general public access (apart from where is coincides with the PROW).	Do not add

Ingleby Greenhow	New	Parish Council	Battersby Junction: The railway station car park and picnic site should be identified as a community space.	Site visit undertaken and space to be added.	Space added
Ingleby Greenhow	New	R Hudson	I also feel that the playing field at Ingleby Greenhow Primary School should be included.	School playing fields are not included as there is not general public access.	Do not add
Lastingham	CS02 Object	Parish Council	The space is in private ownership and is not freely available to the public and is not in any way insured. Under the definitions it should be an IUS.	Space to be deleted as a CS but added as VIS due to the contribution it makes to the character of the village.	Amend to be VIS
Lastingham	New	Parish Council	Village Hall should be defined as a restricted community space. Restricted as it does not have broad insurance for all the public to enter its grounds, but the Hall like all other village halls, should in some way be shown as a 'community facility'.	All Village Halls are to be added as Community Spaces	New spaces added
Levisham	New (x3)	Parish Council	There are three further areas we consider to be 'Community Space'- two narrow strips of land have for many years been cultivated as community allotments; "TCB Hall" is a building exclusively used as the village hall.	Allotment spaces to be added as one additional CS and Village Hall will be added with all other Village Halls.	New spaces added
Lythe	CS02 Object	Mulgrave Estate	The space is tennis courts and currently used by the Tennis Club. Again, this is a club arrangement between the Estate and the Tennis Club and there is no intention to change this arrangement.	Delete the proposed CS as this is a private arrangement between the Estate and the Club	Space deleted
Lythe	CS03 Object	Mulgrave Estate	These are private allotments within the control of Mulgrave Estate and these are not currently Community Spaces.	Delete as a private arrangement between the Estate and tenants.	Space deleted
Lythe	CS04	Mulgrave Estate	No further comments.	Comments noted.	No change

	Support				
Lythe	CS04	Mulgrave Estate	We suggest that the land located between Bank Cottage and Lythe Primary School as this is considered as genuine Community Space in addition to the Sports Fields.	Land is part of the Primary School grounds and will not have general public access.	Do not include
Osmotherley	New	Parish Council	The allotments to the north of the Friends Meeting House in West End, Osmotherley should be included.	Allotments to be added as CS	New space added
Ravenscar	New	Parish Council	Green in the middle of Station Square at Ravenscar.	This space is a focal point for this part of the settlement and acts as a village green.	New space added
Ravenscar	CS02 Object	Parish Council	This is most definitely NOT community space. It is agricultural land owned by the Parish Council and is rented out on a grazing licence. Members of the public have no right of access to this land.	Remove as requested by the PC	Space deleted
Sleights	Amend	Parish Council	Change the name from 'cricket field' to 'sports field'.	Site description to be amended as requested.	Amend description
Sleights	New	Parish Council	Suggest the wooded area between Echo Hill bridge and the railway line is included as an important undeveloped space.	Space could be considered as a Community Space as provides an informal recreation area. Likely to be in private use and therefore further consideration required.	Further discussion needed
Staithe	New	Parish Council	Please could you include on the Staithe Map, the area known as Barass Gardens, as "community space". Richard Gunton knows about the issues with this area and it might be wisest to mark it on the map now, rather than try to add it later.	Land in private ownership and community access is in dispute at present	Query outstanding

Thornton le Dale	New	Parish Council	We would like consideration given to classifying the Thornton le Dale Village Hall and the Bowling Green.	Village Halls are to be added and the bowling green was missed. Add spaces.	Spaces to be added
Wass	Query	Parish Council	Sadly, you have ignored the feedback from the last consultation exercise and have designated community spaces using your own criteria. Whilst this seems sensible perhaps you could refer back to the last exercise and add in the other community spaces that were identified please. This would provide a more appropriate reflection of local opinion and sentiment.	The other areas do not fit with the criteria of either IUS/VIS or CS. There is public access but only from the PROW. General open access to fields is not available. Area Marked A was included but was removed following a strong objection from the land owner who stated that the land is not available for community use. Officers will discuss this with the PC as part of the next consultation.	Do not include
The Cinder Track	New	H Dale D Eaves J Parry P Burdett Staintondale PC	The Cinder Track has a unique and distinctive character in addition to playing an important role in nature conservation, local education and community accessibility and other similar comments.	Comments are noted but PROWs are not considered to be within the remit of the areas identified as Community Spaces. No other footpaths have been included.	Query outstanding

**Other comments:**

**NYCC Property services** - Community Spaces should not include schools or school playing fields within this designation as a school may need to be able to use its land to provide additional facilities to expand the educational offering at any given time.

Authority response - Comments are noted and spaces that form school playing fields have not been included.

**Community First Yorkshire** - Narrow strips of land either side of public footpaths could be included within Community Spaces where feasible to retain 'views' and if need be wider access, space for seating and ease of maintaining the path. Footpaths are part of Pathways to Health initiatives taking place across the county and an increase use of paths can be anticipated.

Authority response - Comments are noted however it is not considered appropriate to include PROWs as Community Spaces unless the area includes a wider area with public access such as the woodland area adjacent to the car park at Thornton le Dale Car Park.

**Natural England** - Broadly welcomes this and encourages the council to consider the multifunctional opportunities of such spaces such as recreation, preserving landscape character and biodiversity.

Authority response – Comments noted.

**Sport England** - Provided detailed comments on the benefits of Community Spaces to be aware of. (Quality and quantity)

Authority response – Comments noted.

**Staintondale, Thornton le Dale, Levisham and Lastingham Parish Councils** - Question whether village halls and their grounds be community spaces.

Authority response – Village Halls and their grounds are to be included as Community Spaces in response to the comments received.

**If you would like further information, please contact us:**

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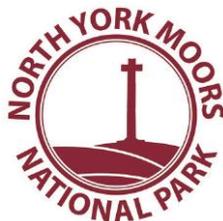


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