

Bath and North East Somerset Council
Local Plan 2025 – 2043

Pre-Submission Draft Local Plan (Reg 19)
September 2026

Local Green Spaces Topic Paper

**Bath & North East
Somerset Council**

Improving People's Lives

Contents

1. Introduction	2
2. National Context.....	2
3. Local Context	4
4. Pre-Submission (Regulation 19) Draft Local Plan	5
Combe Down Allotments	5
Bath Rugby Playing Fields.....	7

1. Introduction

- 1.1 This Topic Paper has been prepared to support the Bath and North East Somerset Pre-Submission (Regulation 19) Draft Local Plan and the Local Green Space (LGS) related policy and proposed designated spaces within it.
- 1.2 Planning Practice Guidance (PPG) defines LGS designation as a way to provide special protection against development for green areas of particular importance to local communities (Paragraph: 005 Reference ID: 37-005-20140306). Through the preparation of its Draft Local Plan, the Council has received nominations for new LGS, assessed these against the NPPF and PPG criteria, and proposed new LGS for designation that will be subject to saved Policy LCR6A. This document summarises the stages and assessments undertaken by the Council which has resulted in the designation of new LGS.

2. National Context

- 2.1 B&NES Local Plan 2025-2043 is being prepared under the transitional arrangements and will be examined against the December 2024 National Planning Policy Framework (NPPF), as amended in February 2025.
- 2.2 The NPPF (2024) Section 8 provides guidance for LGS designation. Relevant paragraphs concerning LGS Designation are as follows:

Paragraph 106: *The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should 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 updated, and be capable of enduring beyond the end of the plan period.*

Paragraph 107: *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.

Paragraph 108: *Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts.*

2.3 National Policy makes clear that blanket designation of all green space is not appropriate. Proposed designations must be supported by evidence that the green area is special to the local community. There are several specific exceptions, where designating a LGS would not be appropriate:

- Education sites – The NPPF places great weight (para 95 (a)) on the need for Schools and Colleges to expand/alter. Because of this, LGS designations within school ground including playing fields are very unlikely to be suitable for designation.
- Highway Land/Verges - Land adjoining the highway is subject to permitted development rights and may need to be utilised or reconfigured for highway works and is therefore not suitable for designation.

2.4 Planning Practice Guidance (PPG) cites examples of what green areas can be identified as LGS - For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis (Paragraph: 013 Reference ID: 37-013-20140306).

2.5 A green space within a site with extant planning permission (within the red line) cannot be designated until the development is complete. LGS 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 (Paragraph: 008 Reference ID: 37-008-20140306).

- 2.6 Land cannot be excluded because there is an existing planning designation such as land within the Green Belt, a National Landscape, or another national designation. Different types of designations are intended to achieve different purposes. If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as LGS (Paragraph: 011 Reference ID: 37-011-20140306).

3. Local Context

- 3.1 During the new Local Plan period 2025-2043, development proposals will have to have regard to Saved Local Plan Policy LCR6A which sets out the criteria for the protection of designated LGS from development. LGS are defined on the Policies Map and additional areas may also be designated as LGS in Neighbourhood Plans. Development that would conflict with the reasons that the LGS has been demonstrated to be special to the local community and holds a particular local significance; and prejudice its role as LGS will not be permitted unless very special circumstances are demonstrated.
- 3.2 In Spring 2024 the Council undertook an Options consultation under Regulation (Reg) 18 of the government's legislative plan-making regulations. During the consultation on the Local Plan Options Document (Spring 2024), the council consulted on sites for LGS designation. The Council assessed 69 nominations from communities for new LGS designations. 26 of these sites were recommended for designation. All nominations received were assessed against the NPPF criteria for LGS and the National Planning Practice Guidance (PPG). The assessment and recommendations for LGS designations received during the Spring 2024 Options Consultation is set out in the [Topic Paper: Local Green Spaces Assessment Report \(2024\)](#).
- 3.3 A further Local Plan Options consultation took place in Autumn 2025 outlining and seeking views on further options to address a substantially greater level of growth. During this consultation, the Council received a further 3 nominations from communities for LGS designation. All 3 sites were recommended for designation. The assessment and recommendations for LGS designations

received during the Autumn 2025 Options Consultation is set out in the [Topic Paper: Local Green Spaces Assessment Report \(2025\)](#).

4. Pre-Submission (Regulation 19) Draft Local Plan

- 4.1 The LGS recommended and now proposed for designation by the Council following the Spring 2024 and Autumn 2025 LGS Assessments will be defined on the Draft Local Plan Policies Map. Policy Map changes, including new LGS designations, are shown Appendix 5 of the Regulation 19 Draft Local Plan.
- 4.2 The Autumn 2025 Consultation also set out that the Council will continue to consider the designation of two previously nominated sites which were rejected and decided not to be proposed for designation as LGS during the Spring 2024 consultation. The **Combe Down Allotments** (Reference: LGSB4) nominated site was proposed not to be designated as a LGS in the Spring 2024 Options Consultation because of conflict with an adopted local plan minerals designation and policy. The **Bath Rugby Playing Fields** (Reference: LGSB8) nominated site was proposed not to be designated as a LGS in the Spring 2024 Options Consultation as designation was considered inappropriate due to the live planning application relating to the site. These sites and the detailed reasons for not designating them at the time is set out in the [Topic Paper: Local Green Spaces Assessment Report \(2024\)](#). The following section will outline how the Council has considered the potential designation of these two sites in preparing the Pre-Submission Draft Local Plan (Regulation 19) 2025-2043.

Combe Down Allotments

- 4.3 Saved Local Plan Policy M1 defines Mineral Safeguarding Areas around the active mineral sites in Bath and North East Somerset. The purpose of these areas is to avoid the needless sterilisation of mineral resources by non-mineral development. The Combe Down Allotments LGS nomination was initially rejected due to conflict with Policy M1 and the Shaft Road Mineral Safeguarding Area as defined on the Policies Map. As the [Topic Paper: Local Green Spaces Assessment Report \(2024\)](#) explains, “the PPG notes amongst other things designating any Local Green Space will need to be consistent

with local planning for sustainable development in the area, and designation should not be used in a way that undermines this aim of plan making. For this reason, it would be contrary to the future local planning of sustainable development as outlined under NPPF.”

- 4.4 As set out in the Autumn 2025 Local Plan Options Document, the Council has continued to consider and re-evaluate the LGS designation of this site following its initial rejection.
- 4.5 Upon re-evaluation, the Council highlights that the NPPF (2024) outlines policies and decisions for managing development within a LGS should be consistent with national policy for Green Belts set out in chapter 13. Specifically, development in the Green Belt is inappropriate and can only be permitted if very special circumstances are demonstrated unless exceptions apply. Paragraph 154 h) states that mineral extraction and engineering operations is not inappropriate development within the Green Belt provided the development preserves openness and does not conflict with the purposes of including land within the Green Belt.
- 4.6 Therefore, LGS designation at Combe Down Allotments would not be contrary to the future planning for sustainable development in Bath and North East Somerset as it would not sterilise or prevent mineral-related development in principle. Decisions for managing development within a LGS should be consistent with national policy for Green Belts, therefore, any mineral related development proposal within a designated LGS would not be inappropriate as long as it preserves the openness (and ensure there is no conflict with the purposes of designating land) as LGS. As a result, the nominated site at Combe Down Allotments is recommended for LGS designation and is shown in Appendix 5 of the Regulation 19 Draft Local Plan.
- 4.7 Appeal decisions support the Council’s interpretation that for minerals development to not be inappropriate development it would need to preserve openness and not conflict with the reasons for LGS designation. Appeal Decision APP/J1915/W/24/3339916 states that “... development in a Local Green Space will be permitted if it is consistent with the function, character

and use of the Local Green Space. [It] ... should be in-line with managing the Green Belt. In essence, the objectives of both policies are to protect valued green areas from inappropriate development because of their beauty, historic significance, recreational or amenity value (including for formal or informal recreation), richness of wildlife and overall contribution to promoting healthy communities.”

Bath Rugby Playing Fields

- 4.8 The Bath Rugby Playing Fields nominated site was proposed not to be designated as a LGS in the Spring 2024 Options Consultation as designation was considered inappropriate due to the land being subject to a planning application which was currently under consideration (Reference: [23/02212/FUL](#)).
- 4.9 LGS 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 (Paragraph: 008 Reference ID: 37-008-20140306).
- 4.10 As the [Topic Paper: Local Green Spaces Assessment Report \(2024\)](#) explains, “until the planning application has been determined it is not appropriate to designate it as a Local Green Space. Dependent on the outcome of the planning application process this position can be reviewed in preparing the Draft Local Plan.”
- 4.11 The planning application under reference 23/02212/FUL was formally withdrawn on the 9th of July 2024. The land, however, is still subject to a planning application which is currently under consideration ([25/01403/FUL](#)). Moreover, the development proposed is not compatible with the reasons for LGS designation at Bath Rugby Playing Fields. Therefore, the Council has determined that it remains inappropriate to designate the land as LGS until the planning application has been determined. Dependent on the outcome of the

planning application process this position can be reviewed during the next Local Plan review.