

Joint Scrutiny Working Group (Environment, Housing and Communities, Strategy and Resources, Infrastructure, Investment and Inclusive Growth) – 27 January 2020

Approach to the Disposal of Green Spaces

Notes: Rebecca Atherton, Principal Scrutiny Advisor

Scrutiny Board Member Attendees:

Scrutiny Board	Member	Ward
IIIG SB / S&R	Cllr Cunningham	Armley
IIIG SB	Cllr Dawson	Morley South
IIIG SB	Cllr R Grahame	Burmantofts & Richmond Hill
IIIG SB	Cllr Taylor	Horsforth
IIIG SB	Cllr Truswell (CH)	Middleton Park
EH&C	Cllr Anderson (CH)	Adel & Wharfedale
EH&C	Cllr Akhtar	Little London & Woodhouse
EH&C	Cllr A Blackburn	Farnley & Wortley
EH&C	Cllr Collins	Horsforth
EH&C	Cllr Gabriel	Beeston and Holbeck
EH&C	Cllr Khan	Burmantofts & Richmond Hill
EH&C	Cllr Gruen	Crossgates and Whinmoor
EH&C	Cllr Smith	Pudsey
S&R	Cllr Almass	Beeston & Holbeck
S&R	Cllr Chapman	Rothwell
S&R / EHC	Cllr Harland (CH)	Kippax and Methley
S&R	Cllr Jenkins	Killingbeck & Seacroft
S&R	Cllr Mckenna	Armley

Executive Board Attendee:

Cllr James Lewis	Executive Member for Resources
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Officer Attendees:

Mark Mills	Head of Asset Management
Chris Gomersall	Head of Land and Property
Kathryn Holloway	Team Leader, Major Projects
Debbie Kirk	Service Development Manager

Recommendations

A - The Chair to recommend to the Climate Emergency Advisory Committee that they consider reviewing the criteria currently used to determine whether or not the disposal of small green spaces can be progressed.

B – Officers to consider adding an additional item to the seven criteria against which garden sales are currently assessed to include the potential impact of any disposal on tree planting.

C - Officers to explore the inclusion of ward member comments regarding specific planning applications in Plans Panel reports.

D - The Chair to write to the Minister of Housing and Planning to lobby for stronger powers to attach recommendations to small greenspace sales so as to have the capacity to restrict the nature of future building works that could otherwise be progressed as a result of permitted development rights. This would be applicable where there is a reasonable concern that such works could be contrary to key Council priorities such as flood risk mitigation or the declared Climate Emergency.

E – The Chair to write to the Chief Planning Officer to advocate the attachment of stronger recommendations to garden land sales when considering the future use of the space in the context of key Council Priorities such as the Climate Emergency.

F – Officers to explore options to include a specific standard recommendation as part of garden land sales that any subsequent building work should deliver a permeable surface, for example in the case of drive ways, to reduce flood risk.

G - Explore options for a proactive approach to identifying small green spaces that can be brought into use in order to deliver community benefits in inner city areas – for example, through planting.

Meeting Notes

Introduction

1. Officers delivered a presentation to members outlining the types and scale of designated greenspace in the city.
2. Background was provided about the processes officers follow with regard to the sale of garden land and the typical nature of such sales. Officers reminded members that they do not proactively pursue sales of garden land and that decisions about whether or not to sell are generally determined by pragmatism.
3. The established process for the disposal of larger sites was also outlined and it was noted that in these disposals are heavily monitored with key sites referred to Executive Board for approval.
4. Cllr Lewis provided information about the ongoing review of the Asset Management Strategy.

Environmental Impact of Garden Land Sales

5. The environmental impact of garden land sales was discussed in relation to cases of encroachment and for sales where land is being retained as greenspace within a private garden.

6. Members noted that they are consulted about local garden land sales. However, in the context of ongoing work being carried out by the Biodiversity Sub-Group of the Climate Emergency Advisory Committee it was suggested that advice is sought from Parks and Countryside to establish whether the green space in question could be a potential site for planting.
7. Members suggested an additional item should be added to the list of criteria applied to garden land sales to consider whether the green space could be used for tree planting.
8. Cllr Lewis responded to member concerns about the future use of garden land having a detrimental environmental impact by citing examples of sales that have not progressed due to a failure of a buyer to secure planning permission. He also noted that where green space is retained as “flat grass” inclusion in a private garden can actually enhance biodiversity.
9. Scrutiny members queried whether conditions could be imposed upon the future development in the case of garden land sales – for example, requesting that permeable surfaces are used for drive ways. The contributory impact of non-permeable building materials to flood risk was highlighted. The use – and limitations – of restrictive covenants was explored.
10. Members considered ways in which to reduce the environmental impact of ‘verge hardening.’
11. Members were advised that changes to national policy would need to be secured in order to impose conditions on future land use that prevent activities ordinary house holders could otherwise progress as a result of permitted development rights.
12. Members reiterated the need to ensure, as far as is possible, sales of small spaces do not amount to “garden grab” housing sites.

Ward Member Views on Planning Applications

13. Scrutiny Board members asked for clarification about the weight given to the comments of local ward members about individual applications that are to be considered by a Plans Panel. Members considered an example of member comments regarding a site in Armley not appearing to have influenced the final shape of a development, despite ward members’ support being stated as conditional upon specific community obligations being met given it required a loss of green space. It was agreed that officers should explore whether ward member comments can be included in Plans Panel reports.

Inner City Areas

14. Members raised particular concern about the loss of small green spaces in inner city areas where overall access to green space is limited. The role of green space in promoting health and wellbeing was discussed.
15. Officers were asked to explore a proactive new policy whereby small green spaces in the inner city can be used to provide a local benefit, for example by planting.

Maintenance of Small Green Spaces

16. Members queried the approach to small areas of land which residents wish to maintain to a higher standard than will be achieved via a standard Council service. The logistical arrangements

for maintaining planted sites on an ongoing basis were discussed. The increasing costs of maintenance were highlighted as a consideration particularly in the case of maturing trees.

17. Members were advised that plans are being developed for planting sites as part of the Asset Management Strategy review with Parks and Countryside providing a commitment to initial maintenance.
18. The impact of maturing trees on housing was noted and the need for long-term planning of planting within or near new developments discussed.

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