

Guidance for Communities on How to Protect Green Space and Heritage Sites



1



Table of contents

- 1. Aim of the Guidance
- 2. Who is the guide for?
- 3. Context
- 4. Get organised
 - 4.1 Set up a group
 - 4.2 Charities and amenity groups
- 5. Council approaches to green space and heritage
 - 5.1 Planning
 - 5.2 Local plans
 - 5.2.1. Local green space designation
 - 5.2.2. How is land designated as Local Green Space?
 - 5.3 Place-Making
 - 5.4 Open Spaces
 - 5.5 Health and Wellbeing
- 6. Protecting community spaces - tools
 - 6.1 Table of powers
 - 6.2 Other unique/bespoke approaches and case studies
- 7. Making the case for the value of green space
 - 7.1 Natural Capital
 - 7.2 Health and wellbeing
 - 7.3 Accessibility
 - 7.4 Community Engagement

1. Aim of the guidance

This guidance has been written for communities in East London and Essex to support them in protecting and stewarding community spaces in their localities. It has been developed in conjunction with the Land of the Fanns Landscape Partnership Scheme, which aims to restore and reconnect the natural and historic landscape within the area, whilst building understanding and attachment among local people to enjoy and celebrate its special character.

The Land of the Fanns Landscape Partnership Scheme is based on the east London and west Essex border covering parts of five Local Authority areas:

- Essex County Council
- London Borough of Havering
- London Borough of Barking and Dagenham
- Thurrock Council and,
- Brentwood Council.

The partnership includes local authorities, Thames Chase Trust, the Forestry England, Thames Estuary Partnership and Thames21.

The guidance is written by Locality, which has specialist expertise in supporting community organisations to acquire and successfully run spaces. It seeks to present policy and legislative opportunities (afforded locally by councils but also at a wider national level) for communities to take action to protect and preserve the places they hold dear – whether green spaces, heritage assets or other community spaces.

2. Who is this guide for?

This guide is for you if you are concerned about a green space or heritage site in Essex or East London. It could be because:

- you have heard of an impending housing or road development that will affect it, or
- you are concerned that it is not being managed properly or
- you feel it is not being used to its full potential and could be better utilised.

3. Context

The Land of the Fanns project has helped communities to identify and record locally valued heritage and green spaces. This Guidance is the next step, which is to help communities take action to protect the cherished spaces identified as important.

There is significant pressure on public spaces. Locality's Report 'The Great British Sell Off' shows that the UK is losing over 4,000 publicly owned buildings and spaces every year¹.

The context is the wider public sector has, in some instances, been forced to sell off public spaces due to government policy and spending cuts to council budgets. Furthermore, additional pressure on public spending is likely to be brought about through the impact of Covid-19 (both in terms of spending during 'lockdown' and the resulting economic impact).

Added to which, there is pressure on councils to build significant amounts of housing.

The Localism Act introduced instruments to protect community land – including the promotion of Community Asset Transfer by local authorities and public bodies and introducing legislation to create Assets of Community Value and the Community Right to Bid (details further in Appendix B). However, these are not being effectively utilised, partly due to the high value of land in Essex and Greater London and the pressure on sites, and partly due to a lack of awareness and promotion of the sites.

Furthermore, some planning departments are stretched and a proportion have outsourced, making it more difficult for councils to work with communities on these issues.

In addition, parks and green spaces are, on occasion, viewed as financial liabilities for local authorities, despite their recognised health and social benefits. Local councils sometimes have difficulty demonstrating value for money when investing in green space and the value of green spaces is not recognised in part because councils are unable to attribute economic value.

Not all councils are able to adopt a strategic approach and there can be a resource challenge that focuses on immediate budgets and revenue potential, rather than long-term investment and benefits.

Not all councils can afford to manage all the green spaces they own, as they have in the past, and some are falling into disrepair, opening up the possibility of their use for housing development. An example of how this can happen can be seen in South Ockendon, Essex, where the periphery of Belhus Woods Country Park was divided by the building of the M25 and leftover pockets of it are now included on a housing options list.

¹ <https://locality.org.uk/wp-content/uploads/2018/06/The-Great-British-Sell-Off-FINAL.pdf>

4. Get organised

4.1 Set up a group

Talk to other residents who share your concerns. If a group does not exist, think about setting one up. There is no need to establish a formal legal structure, just a committee or working group. See mycommunity website for further advice.²

Community organising could be a way of getting your neighbours interested in an issue. *Community Organisers* can help you build a base.³

Set up a Friends Group. *The National Federation of Parks and Green Spaces* is the umbrella body for Friends Groups of public green spaces and they provide advice on how to set one up.⁴

An example of where the community has worked together successfully with the Council is Bedford Park, where the Friends Group has taken more ownership of the management and running of the Park.

Once you have a collective voice, you can start talking to other groups and your local council.

4.2 Charities and Amenity Groups

Make contact with local umbrella organisations through your Council for Voluntary Service (CVS), as they might have a seat round the table with the council. If you don't know your local CVS, contact London Plus, which has a list.⁵

Talk to other organisations that share your concerns, such as charities and local Amenity Societies. They might include Essex Wildlife Trust, Thames21, Thames Chase Trust, Essex Gardens Trust, Havering Wildlife Project, the Canal and River Trust, The Gardens Trust, The Georgian Group, Council for British Archaeology or the Twentieth Century Society.

² <https://mycommunity.org.uk/take-action/getting-started/step-by-step/>

³ <https://www.corganisers.org.uk>

⁴ <https://natfedparks.org.uk>

⁵ <https://londonplus.org/cvs-and-volunteer-centres/cvs>

5. Council approaches to green space and heritage

If you are looking to influence council decision making because you feel a site is not being managed well, do some research on which council departments could help.

The Land of the Fanns Landscape Partnership spans five council areas and it is important to understand that each council differs from each other greatly. They may share the same laws and structures but behaviour will vary according to organisational culture, individuals and practice.

Become acquainted with them and start to connect with the relevant officers and members responsible for green space and heritage. One helpful individual could assist you to overcome obstructions.

Green spaces and heritage could be of interest to several departments and some are listed here:

5.1 Planning

The planning department decides whether to grant or refuse planning permission for building and development in your area. It also creates a Development Plan (Local Plan) every 6 years, which sets out its planning policies.

Increasingly Planning Departments are out-sourced to arms-length companies or are understaffed, which can make them harder to work with.

Essex Gardens Trust (EGS) has developed a dialogue with Brentwood Council and catalogued important heritage sites in an inventory. As a result, the Planning Department consults EGS on all planning applications that it might have an interest in (see Case Study 5.3 below).

5.2 Local plans

A local plan is developed by councils and sets out local planning policies and identifies how land is used, determining what will be built where.

All councils have to develop a Local Plan (see examples⁶). Havering's Local Plan helpfully refers to the Land of Fanns project, therefore recognising the work that has been undertaken

⁶ Havering Local Plan https://www.havering.gov.uk/info/20034/planning/183/planning_policy/12
Barking and Dagenham Local Plan <https://www.lbdbd.gov.uk/local-plan-review> (Includes Place-Making and Open Spaces in Green and Blue Infrastructure)



by communities and partners. Quite often the Local Plan is “under review” meaning that it does not have full validity and is open to be challenged (e.g. by developers).

5.2.1. Local Green Space designation

Local Green Space designation is a mechanism for providing special protection against development for green areas that are of particular importance to local communities. Once an area has been designated as Local Green Space, it is subject to the same strong development restrictions as Green Belt, ruling out new development except in special circumstances.

5.2.2. How is land designated as Local Green Space?

The process for designating local green space is through Local Plans or Neighbourhood Plans (see Appendix C).

You can check on an interactive map to see if a specific site has been designated (and therefore protected). There is a link to Havering Council's interactive map below.⁷

If the site you are concerned with has not been protected through designation, start collecting evidence for designation, and submit this to the council when the local plan is reviewed or neighbourhood plan is being produced.

The Open Space Society offers guidance on how communities can make a case for getting a local green space designated.⁸

5.3 Place-making

Place-making concerns the planning, design and management of public spaces. Place-making involves creating public spaces that promote people's health, happiness, and wellbeing. It can be either official and government led or driven from the grass roots up, such as extending pavements with chalk, paint, and planters, or open street events. Good place-making makes use of underutilised space to enhance the urban experience at the pedestrian scale and to build good habits.

Some councils have a ‘Place-Making Strategy’, such as Thurrock's Design Guide 2017⁹, others incorporate it into their Local Plan, such as Barking and Dagenham (see bottom of page 5).

⁷<http://maps.havering.gov.uk/>

⁸ <https://www.oss.org.uk/need-to-know-more/information-hub/local-green-space-designation/>

⁹ <https://www.thurrock.gov.uk/sites/default/files/assets/documents/designstrategy-planning-201703-v01.pdf>

5.4 Open spaces

Some councils produce Open Space Strategies in order to understand what open spaces currently exist as well as the local demand for different types of open space. The strategy should be based on wide consultation to establish the evidence base for demand and need.

Barking and Dagenham Council's Parks and Open Spaces improvement priorities 2017 to 2020 specifically recognises the Land of the Fanns as a co-designer, stating:

The Ranger Service is in discussion with key partners including Sustrans, Thames Chase Trust, Land of the Fanns etc to develop a programme of related schemes and projects to remove access barriers and create a network of walking, running and cycling routes throughout the borough's country parks. It is anticipated that a programme will be launched in 2019/20.¹⁰

Open Space Strategies Best Practice Guidance produced by the Mayor of London and CABE¹¹ (the government's advisor on architecture, urban design and public space) advises that councils should consult widely and understand need and demand fully, including who does not use local green space and why.

Some councils have incorporated their Open Space Strategy into the planning system so that it is delivered through the Local Development Framework (LDF); it gives extra weight to the document as it brings the status of a statutory document.

In Torbay the green space strategy has become part of the LDF as a supplementary planning document (SPD). As a result, the strategy now has legal weight and a higher profile. Also it provides a formal requirement for developers to contribute to the delivery of the strategy.

Greenspace Torbay was set up, an umbrella body of friends' groups that is now one of 15 partnerships on the culture and environment board of the local strategic partnership. This body will also help to implement Torbay's green space strategy.¹²

Rather than a specific Open Space Strategy, Brentwood Council has a Green Infrastructure Plan 2015-2020¹³, which incorporates open spaces, parks, recreational sports facilities, woodlands, wetlands, grasslands, rivers and canal corridors, allotments, cemeteries and private gardens and forms part of the evidence base to support the development of the Local Plan.

Section 40 of the Natural Environment and Rural Communities Act 2006 places a statutory duty on all public authorities to conserve biodiversity. An open space strategy that incorporates biodiversity as a key theme will enable the local authority to demonstrate that it is complying with it.

¹⁰<https://modgov.lbbd.gov.uk/Internet/documents/s125825/Parks%20and%20Open%20Spaces%20Strategy%20Report%20-%20App.%201.pdf>

¹¹ <https://www.designcouncil.org.uk/sites/default/files/asset/document/open-space-strategies.pdf>

¹² <https://www.designcouncil.org.uk/sites/default/files/asset/document/open-space-strategies.pdf>

¹³ <http://www.brentwood.gov.uk/pdf/17022020114020000000.pdf>

5.5 Health and wellbeing

Councils are responsible for taking the lead on improving health and coordinating local efforts to protect the public's health and wellbeing, and ensuring health services effectively promote the local population's health. Green space is viewed as a high priority in the following strategic documents:

Thurrock's Health and Wellbeing Strategy 2016 - 2021¹⁴ mentions green space, stating that access to open and green space emerged as one of the five key themes from the engagement exercise.

Brentwood Council's Health and Wellbeing Strategy 2017-22¹⁵ states that the Council will look at Community Asset Transfer of play areas and community halls.

Although this is a positive step it would require careful consideration as to whether the asset would become a liability and careful thought would need to be given to financing the running of it.

6. Protecting community spaces - tools

There are various existing powers to protect community spaces as well as a variety of methods to engage communities in those spaces, ranging from consultation and planning to ownership. This guide outlines the main ways in which communities can influence how their green spaces and heritage can be protected and developed in the long term. Some of the options are discreet but many of them work well together and are best explored as a package of enabling measures.

6.1 Table of powers

Power	Information	Case Study	Appendix
	Open Green Spaces		
Nominating an Asset of Community Value (ACV)	You can nominate places and spaces in your community that are important to local people. This can be an end in itself, however, you can proceed to the next stage if you want,	Towers Cinema / Mecca Hornchurch https://www.havering.gov.uk/download/downloads/id/2013/havering_assets_of_community_value.pdf	Appx A

¹⁴ <https://www.thurrock.gov.uk/sites/default/files/assets/documents/hwb-strategy-2016-v03.pdf>

¹⁵ <https://brentwood.moderngov.co.uk/documents/s12535/Appendix%20A.pdf>

	which is that, if they come up for sale, your community has the opportunity to bid for them.		
Community Right to Bid (CRTB)	Community Right to Bid allows community groups to take on the ownership of land and buildings, including parks and green spaces, under certain circumstances.	The Ivy House, Nunhead, London's first cooperatively owned pub. https://www.ivyhousesunhead.com	Appx B
Community Asset Transfer (CAT)	Legislation gives authorities the necessary powers to transfer the ownership and/or management of land and buildings (usually via long leasehold) to community organisations at less than market value, where it promotes social, economic and environmental well-being.	Heeley Park, Sheffield is a community run park, which is not paid for or managed by the council, but by the people and businesses who live there. http://heeleytrust.org	Appx B
Neighbourhood planning	Neighbourhood plans are planning documents drawn up by communities with the support of local authorities.	Yoxall Neighbourhood Development Plan has as a strategic aim: To preserve and enhance wildlife habitats, the native landscape, public open spaces and the footpath network in Yoxall.	Appx C
Local Green Space designation	Local Green Space designation is a mechanism for providing special protection against development for green areas that are of particular importance to local communities. The process for designating local green space is through Local Plans or Neighbourhood Plans	One of the first Neighbourhood Plans to be made in 2013 enabled the protection and re-generation of Queen's Crescent Garden, Exeter, Devon www.exeterstjamesforum.org	Appx C
Community Right to Challenge	The aim is "to give communities the right to challenge to run local services where they believe they could do this differently and	Fresh Horizons – who run an efficient library service in Huddersfield, combining this with advice and credit union services and in the	Appx B

	better".	future a cinema. Himmat – which delivers services for young people in Halifax, it has been awarded contracts to run probation services and a Youth Offending Team dealing with kids most at risk.	
Mean-while use	Meanwhile use is the temporary use of under-used land or buildings by community organisations.	Meanwhile Gardens was set up as a community garden along the Grand Union Canal in c.1976.	
Community Right to Reclaim Land	The Right to Reclaim Land enables anyone to apply to the Secretary of State to investigate why public sector land or buildings are vacant, under-used or derelict.	mycommunity.org.uk/resources/understanding-the-community-right-to-reclaim-land/	
Deed of Dedication	Fields in Trust works in partnership with landowners to protect land through a Deed of Dedication, which is a binding legal commitment with the landowner, which allows it to be protected in perpetuity for current and future generations to enjoy.	Examples of parks in London that have been protected by Deeds of Dedication include Dulwich Park and Peckham Rye Park in Southwark, Charlton Park in Greenwich and Wandle Park in Croydon. http://www.fieldsintrust.org/how-to-protect	
Legal Covenants	The law allows, in some instances, for 'restrictive' and 'positive' covenants to be created to govern what can happen to registered land. Start your search at the Land Registry website.	https://www.gov.uk/government/organisations/land-registry	
Set up a nature reserve	A nature reserve is an area of land that is protected in order to keep the plants and species safe that live there.	RSPB Rainham Marshes Cranham Brickfields Local Nature Reserve - owned and managed by Havering council	Appx D
Become a	Community land trusts are set	Homebaked Community	

community land trust	up and run by local people to develop and manage homes as well as other assets.	Land Trust (CLT), formed in April 2012, saved a local bakery and created a flat. http://homebaked.org.uk/about/	
	Heritage Assets		
Local heritage listing	A means for a community and a local authority to identify heritage assets that are valued as distinctive elements of the local historic environment.	https://www.havering.gov.uk/download/downloads/id/1403/heritage_register.pdf	Appx E
Conser- vation Areas	Defined as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'	Barking and Dagenham Council's Conservation Area Guide https://www.lbdd.gov.uk/sites/default/files/attachments/Conservation-Areas-Guide-Non-technical-Summary_0.pdf	Appx F

6.2 Other unique/bespoke approaches and case studies

Some community spaces have been protected and creatively used by communities using external funding and partnership approaches – such as the local case study highlighted below.

Case Studies

Performing Parks

Performing Parks¹⁶ is supporting five local communities in Thurrock to replicate the successful community Stewardship social enterprise model adapted by Friends of Hardie Park. Through this programme, the Friends of Hardie Park are being funded by NESTA to support five local communities in Thurrock to replicate the successful Community Stewardship model adopted by the Friends of Hardie Park. This involves supporting and mentoring five local groups to develop a hub in their park operating as a social enterprise, to generate income, transform the green space and strengthen the local community, which involves groups taking responsibility for funding, managing and maintaining their local parks.

¹⁶<https://www.nesta.org.uk/blog/performing-parks-introduction-project/>

This work entails building a case for community asset transfer based on evidence of the social, environmental and economic impact of Hardie Park as well as the key components they wish to scale up. It involves identifying the key barriers to community asset transfer at the Council and determining measures that can be taken to address them.

Essex Garden Trust

Essex Garden Trust (EGS) has created inventories for seven of the 12 districts in Essex. The inventories include gardens with character, historic landscapes and public parks.

The inventories give land some degree of protection as the Planning Department will give them consideration as a public benefit when faced with an impending development. EGS has built a dialogue with certain planning departments to the point that Brentwood now consults EGS on every planning application that borders a designated site.

EGS recommends:

- Use the planning process to defend a setting. Planning weighs up the constraints and has to approach the Statutory Consultees that might have an interest. The Planning Officer writes a report weighing up the historic characteristics against the public benefit.
- Is it on the National Heritage List? If not, try and persuade them to include it.
- Is it on a local heritage list? Not all councils have one.
- Approach as many organisations as possible. Ask Historic England and Amenity Societies, (such as The Georgian Group, Council for British Archaeology, the Twentieth Century Society) to help make a case.
- Build a dialogue with the local planning department.
- Create an inventory.

So-called Statutory Consultees, such as the Canal and River Trust or the Gardens Trust, will petition a Planning Department on behalf of a local project.

Planning law prescribes circumstances where local planning authorities are required to consult specified bodies, known as Statutory Consultees, prior to a decision being made on an application.

A list of Statutory Consultees is available online.¹⁷

¹⁷<https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications>

7. Making the case for the value of green space

In this section we help you make the case for preserving green spaces by highlighting potential evidence of the benefits of green space and heritage sites as well as possible approaches. Firstly, we highlight the lack of data and explain why it is important to collect more in order to enable better strategic decision-making around the sites.

There is often very little accurate information about how many parks and green spaces there are in urban areas, where they are, who owns them, what condition they are in, or how many people are employed to look after them. Without this basic data, it could be argued that it is hard to ensure that scarce public resources are allocated and targeted to best possible effect.

The Land of the Fanns has tried to partially address this with its mapping exercise. Essex Gardens Trust too has created inventories and it urges others to do their own.

Parks for London¹⁸ suggests that a lack of data shows the value of green spaces affects decisions about green space management and planning. Seven Outer London Boroughs are considering disposing of excess green space and 12 are looking for alternative uses for some or part of their parks. Being able to clearly articulate the value of the services provided by green space would help influence such decisions.

Further, the contributions green space can make to other, often statutory, council strategies is often not recognised, or benefits are not attributed to green space. For example, green space contributes to physical and mental health and wellbeing, which can reduce the burden on other services, such as adult and social care. However, the green space service does not reap any benefit or recognition from this.

Thames Chase Community Trust is a good example of a charity whose aim is to make the Thames Chase Community Forest an inspirational example of landscape regeneration¹⁹.

7.1 Natural Capital

Parks for London suggests that we should consider parks in terms of natural capital, which is made up of the elements of nature that benefit people directly or indirectly.

In an urban context, these assets are our parks, rivers, trees, and features such as green roofs that collectively form an essential green infrastructure. Designed and managed as green infrastructure, natural capital can:

- promote healthier living
- lessen the impacts of climate change

¹⁸ https://www.london.gov.uk/sites/default/files/a_review_of_londons_parks_green_spaces.pdf

¹⁹ <http://www.thameschase.org.uk>

- improve air quality and water quality
- encourage walking and cycling
- store carbon
- improve biodiversity and ecological resilience.

Barking and Dagenham Council has embraced natural capital accounting in their Park and Open Spaces Strategy.²⁰

The Office for National Statistics is doing further work on natural capital accounting and green spaces.²¹

Parks for London argues that natural capital accounting informs us that reducing funding for parks and green spaces is a false economy because of the wider benefits they bring, such as:

- London's public green spaces have a gross asset value of more than £91 billion, providing services valued at £5 billion per year
- for each £1 spent by local authorities and their partners on public green space, Londoners enjoy at least £27 in value
- Londoners avoid £950 million per year in health costs due to public green space
- the value of recreational activities is estimated to be £926 million per year
- for the average household in London, the monetary value of being in close proximity to a green space is over £900 per year.

7. 2 Health and wellbeing

Fields in Trust's report *Revaluing Parks and Green Spaces* demonstrates that across the United Kingdom parks and green spaces provide people with over £34 billion of health and wellbeing benefits.

Revaluing Parks and Green Spaces aims to change perceptions by establishing a baseline for the value that parks and green spaces contribute to health and wellbeing rather than simply being judged by what they cost to maintain. The £34 billion of wellbeing benefits are a result of people enjoying greater life satisfaction including both improved physical and mental health, directly as a result of regularly using parks and green spaces.²²

Space to Thrive report presents a case of the health, social and economic benefits of green spaces for individuals and communities, including the following:

- Parks and green spaces encourage inward investment.

²⁰<https://modgov.lbbd.gov.uk/internet/documents/s114610/Parks%20Strategy%20Tech.%20Appx%20-%20Background%20paper.pdf>

²¹ <https://www.ons.gov.uk/economy/environmentalaccounts/bulletins/uknaturalcapitalaccounts/2019>

²² - <http://www.fieldsintrust.org/News/research--new-research-shows-uk-parks-and-green-spaces-generate-over-%C2%A334-billion>

- Parks help to save on environmental costs.
- Health improvements associated with use of green spaces save costs on health care.
- Sales of produce through urban agriculture may create economic benefits.
- Parks and green spaces generate employment²³.

7.3 Accessibility

Natural England has produced a toolkit, *Accessible Natural Green Space Standards in Towns and Cities: A Review and Toolkit for their Implementation*, which provides councils with a guide as to what constitutes accessible green space, including the size of green space as well as the distance from homes.²⁴

The Toolkit also recommends a minimum of one hectare of statutory local nature reserves per thousand people.

7.4 Community Engagement

Some local authorities frame green spaces in the context of community engagement, for example the **Green Essex Strategy** mentions community engagement three times in relation to economy, sustainability and brand creation.

ECONOMY Working with partners to build and secure funding, effective governance and stewardship for new and existing green infrastructure to ensure their longterm sustainability.

- Develop new facilities that will generate revenues.
- Create a Green Essex Fund for endowments, fund-raising bids, donations etc. in conjunction with the development of a Green Essex Network.
- Create a distinct Green Essex identity through the development of a Green Essex Network to encourage a strong community engagement.

²³ <https://www.heritagefund.org.uk/blogs/how-green-space-improve-our-wellbeing>

²⁴ <http://publications.naturalengland.org.uk/publication/65021>