

# Allotments Legislation and policy for Hounslow

## National Context

### The Allotment Acts

The legal framework for Allotments has developed in a piecemeal fashion and is encapsulated within a number of Acts identified below.

**Table 1: Principal Allotments Legislation**

Act and Date	Relevance
Small Holdings and Allotments Act 1908	Consolidated all previous legislation and laid down the basis for subsequent Acts. Placed a duty on local authorities to provide sufficient allotments according to demand. Makes provision for local authorities to compulsory purchase land to provide allotments.
Allotments Act 1922	Limited the size of an individual allotment to one quarter of an acre and specified that they should mostly be used for growing fruit and vegetables.
Allotments Act 1925	Required local authorities to recognise the need for allotments in any town planning development. Established statutory allotments which a local authority could not sell or convert to other purposes without Ministerial consent.
Allotments Act 1950	Made improved provisions for compensatory and tenants rights. Confined local authorities obligation to 'allotment gardens' only.

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) states:

*“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area”.* (NPPF, Paragraph 73)

*“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.” (NPPF, Paragraph 74).*

### **Planning Practice Guidance**

Planning Practice Guidance (PPG) states:

*“Open space should be taken into account in planning for new development and considering proposals that may affect existing open space”. Guidance also states that “it is for local planning authorities to assess the need for open space and opportunities for new provision in their areas”*

PPG recognises allotments as “*Green Infrastructure*”.

### **Previous Government Guidance**

Previous guidance, outlined in PPG17 (2002) identified the role of informal open space, including allotments as performing:

- The strategic function of defining and separating urban areas;
- Contributing towards urban quality and assisting urban regeneration;
- Promoting health and well-being;
- Acting as havens and habitats for flora and fauna;
- Being a community resource for social interaction; and
- A visual function.

PPG17 also identified the issues which Local Planning Authorities should take into account in considering allotment provision and circumstances when disposal may be appropriate. Notably paragraph 13 states:

*“Equally, development may provide the opportunity to exchange the use of one site for another to substitute for any loss of open space, or sports or recreational facility. The new land and facility should be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. Wherever possible, the aim should be to achieve qualitative improvements to open spaces, sports and recreational facilities. Local authorities should use planning obligations or conditions to secure the exchange of land, ensure any necessary works are undertaken and that the new facilities are capable of being maintained adequately through management and maintenance agreements”.*

### **National Allotment Survey (1996)**

There is no nationally recognised quantitative standard for allotment provision, however, the National Allotment Survey (1996) identified an average of 15 plots per 1,000 households.

## **Regional Context**

### **The London Plan**

London Plan Policy 7.18 Protecting Open Space and Addressing Deficiency states:

*“A The Mayor supports the creation of new open space in London to ensure satisfactory levels of local provision to address areas of deficiency.*

*B The loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate...*

*D Boroughs should undertake audits of all forms of open space and assessments of need. These should be both qualitative and quantitative, and have regard to the cross-borough nature and use of many of these open spaces.” (London Plan MALP, March 2016).*

The Mayor seeks to protect open space. The MALP (2016) states that “as part of London’s multifunctional green infrastructure, local open spaces are key to many issues, such as health and biodiversity. Needs assessments can be part of existing borough strategies on issues such as allotments, play, trees and playing pitches and the preparation of a green infrastructure strategy will need to bring together the outputs of these borough strategies” (London Plan MALP, March 2016).

London Plan Policy 7.22 Land for Food states:

*A The Mayor seeks to encourage and support thriving farming and land-based sectors in London, particularly in the Green Belt*

*B Use of land for growing food will be encouraged nearer to urban communities via such mechanisms as ‘Capital Growth’.*

*C Boroughs should protect existing allotments. They should identify other potential spaces that could be used for commercial food production or for community gardening, including for allotments and orchards....” (London Plan MALP, March 2016).*

## **Hounslow Context**

### **Hounslow Local Plan 2015-2030**

**Hounslow Local Plan Policy GB8:** Allotments, Agriculture and Local Food Growing: outlines that the Council’s current approach to allotments is to encourage their continued use. This is to be achieved by:

#### **Policy GB8 - Allotments, agriculture and local food growing**

Our approach:

We will encourage the continued use of allotments and agricultural land, and promote new, innovative uses of green space for local food growing, including community farming, gardening and orchards, and commercial food production.

We will achieve this by

- (a) Retaining the existing allotments and resisting their loss unless in accordance with the borough’s Allotment Strategy;
- (b) Protecting agricultural land;
- (c) Working with partners and local communities to identify sites with potential for local food growing and supporting projects that promote community gardening, farming and orchards; and
- (d) Supporting initiatives for commercial food production.

#### **We will expect development proposals to**

- (e) Be consistent with and positively contribute to the open space and/or nature conservation designation of the land;
- (f) Retain allotments and the best and most versatile agricultural land, unless it can be demonstrated that they are no longer required or viable for such purposes. In the event that such land is no longer required, the feasibility of appropriate alternative open space uses which allow the site to maintain its value for growing food such as community gardens or orchards, should be considered first; and
- (g) Avoid adverse impacts on adjacent allotments or agricultural land.