

## Response to Examiners Questions

### Melton Borough Council

05/01/2018

#### **Question 11 - Is the proposed designation as Local Green Space of land at Mill Lane Fields and also Dawson's Field, justified having regard to the criteria in Paragraph 77 of the National Planning Policy Framework and the advice set out in the Planning Practice Guidance?**

Melton Borough Council would make the following comments. The NPPF at Para 77 outlines the criteria Local Green Spaces must adhere to, in order to attain the designation. The NPPF is clear that this designation will not be appropriate for most open areas or green spaces. The criteria are;

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is 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
- where the green area concerned is local in character and is not an extensive tract of land.

The Borough Council accept there is a degree of ambiguity associated with the above criteria. Furthermore that the emerging Local Plan accepts and encourages (at EN5) that Neighbourhood Plans are worthy vehicles to deliver additional LGS, especially given the local community is best placed to know if an area holds a Local Significance or not. The PPG (Open Space Open space, sports and recreation facilities, public rights of way and local green space, Para 015:) states again that 'Green Space designation should only be used where the green area concerned is not an extensive tract of land', but adds 'Consequently blanket designation of open countryside adjacent to settlements will not be appropriate'. Finally concluding that LGS is not a way to apply a 'Green belt' type protection.

On the proposed designations, the Borough Council would make the following points, having had regard for the Neighbourhood Plan and its supporting appendices.

Dawson's Field – The Borough Council raise concern with the size of this designation and considers that it may well be an extensive tract of land. At its furthest extremity, the land sits nearly half a kilometre from the nearest dwelling within the village. It is contested that such distance could be considered 'reasonably close' to the community it serves, especially given this distance is nearly the length of the village itself. This does not mean the site is not warrant of any protection nor lacks community value; merely it should not be afforded the protection offered by the Local Green Space designation. There seems to have been degradation in quality of the Ridge and Furrow, being more defined to the north of the field, more tight to the village, but fading increasingly away from the village towards the A607 to the South. The authority holds less information as regards to its use and the freedom of such use by the public, other than the otherwise statutory protected right of way. It would appear to be a private agricultural field. Melton Borough Council does not believe that Local Green Spaces can be used to fulfil the same aims as a green infrastructure network (as suggested at

p4 appendix C). The presence of the SM adds a distinct level of protection to the surrounding land, as per national policy (para 132 of the Framework) and the law, regardless of the final decision on the LGS. With regards to the PPG, the Borough Council consider this allocation could constitute a 'blanket designation of open countryside adjacent to a settlement' and as such may not be appropriate.

Mill Lane Fields – The integrity of the Ridge and Furrow across the potential designated LGS is better defined than Dawson's field, as is its relationship with the surrounding field network. Like Dawson's Field, the fields seem to be in private agricultural use and therefore not readily accessible to the public other than by a right of way. The NDP group do state that the view is enjoyed by a number of people and as per above, may hold special significance by virtue of its historic significance or beauty/tranquillity. Whilst it is considered to be less of an open tract of land than Dawson's field, it is still considered to be a large open field which could be seen to fail Para 77's third criterion and potentially the PPG (para 15). As per Dawson's field, there seems to be clear merit in protection of the sites from harmful development, but it is queried as to whether that protection should come from LGS, or instead be listed in other policies of the Neighbourhood Plan.

The Borough Council considers that these designations could, for the reasons outlined could be seen as contrary to the NPPF Para 77, 1<sup>st</sup> and 3<sup>rd</sup> Criterion and contrary to Para 15 of the NPPG. However, there are also clearly arguments for the designation of this land, in particular relating to the second criterion of Para 77, in that there seems to be local support, especially relating to the historic significance but also relating to a wider appreciation for the high quality environment in these locations, with public access gained via legitimate rights of way.