Site Specific Part 2 Local Plan - Draft Plan Consultation

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Your view

Is your representation supporting or objecting? Objecting
Area of comment

Which part of the Draft Plan does your representation relate to? (ie paragraph number / policy number / figures / maps / question number) ENV03 (LGS Policy)

Representation

Please provide details of your representation

Site HV1069 – Land off Braybrooke Road, Desborough

I write on behalf of my clients who own the land shown edged red on the attached plan and in response to the consultation on the Kettering Site Specific Part 2 Local Plan. My clients object to the proposal to designate their land south of Braybrooke Road, Desborough as Historically and Visually Important Local Green Space. We objected on behalf of our clients to the proposed designation within the context of the Kettering Borough Open Space Assessment. My client remains strongly of the view that this designation is inappropriate.

Sustainability Appraisal – In accordance with Section 19 of the 2004 Planning & Compulsory Purchase Act, policies set out in Local Plans must be subject to sustainability appraisal. Incorporating the requirements of the environmental assessment of Plans and Programmes Regulation 2004, a sustainability appraisal is a systematic process that should be undertaken at each stage of the plans preparation, assessing the effects of the Local Plan’s proposals on sustainable development when judged against reasonable alternatives.
The Local Plan should ensure that the results of the sustainability appraisal process clearly justify its policy choices, including the proposed site allocations and the approach taken to new growth when judged against “all reasonable alternatives”. In meeting the development needs of the area, it should be clear from the results of the assessment where some policy options have been progressed and others have been rejected. The Council’s decision making and scorage should be robust, justified and transparent and should be undertaken through a comparative and equal assessment of each reasonable alternative. Too often the sustainability appraisal process flags up the negative aspects of development, whilst not fully considering the positive aspects which can be brought about through new opportunities for housing development and how these connect to its landscape issues, social factors and the economy.

**Local Green Space** – Paragraph 100 of the recently revised National Planning Policy Framework states that Local Green Space designation should only be used where the green space is:

- in reasonably close proximity to the community it serves;
- 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
- local in character and is not an extensive tract of land”.

The Planning Practice Guidance (PPG) provides further guidance on Local Green Space designations, including paragraph ID.37-015-20140306, “There are no hard and fast rules about how big a local green space can be because places are different and a degree of judgement will inevitably be needed”. However, paragraph 77 of the original National Planning Policy Framework is clear that local green space designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a “back door” way to try to achieve what would amount to a new area of Greenbelt by another name.

**Historically & Visually Important Open Space** – I note that the evidence supporting the proposed designation of my clients’ land as Local Green Space is derived from the September 2015 Historically and Visually Important Open Space study. Within this document a total of 4 sites in Desborough are identified as potential Local Green Spaces yet only my clients’ land, HVI069 seems to have been considered to meet the requirements set out in the NPPF and guidance mentioned above. It is important to note that the land extends to over 27 acres of privately owned grazing land, which is not crossed by any public rights of way and as such no public access is afforded to the local community. We would suggest that this site represents exactly the type of “extensive tract of land” which policy suggests should not be designated as Local Green Space.

As a result, my clients do not consider that their land should be designated as Local Green Space, there is no evidence to suggest that the area is demonstrably special to the local community and since the site cannot be legally accessed by local residents, is of no recreational value to the community.

Therefore, in line with the national policy referred to above, my clients consider that this site does not meet the basic requirements for designation of Local Green Space. Indeed, having reviewed the sites proposed for potential designation in September 2015, my clients note that sites of similar size, proximity to new development and of local importance have been discounted. We would therefore urge the Borough Council to review their earlier study in the light of national policy and guidance, in order to ensure that all sites are assessed consistently and fairly, which we do not feel has happened in this case. National policy and guidance requires that such a designation is thoroughly considered and justified by robust evidence, which has not occurred in connection with our clients’ land.
As a result, my clients do not consider that the inclusion of their land as Historically and Visually Important Local Green Space is justified and request that the designation is reconsidered and deleted.
ENV03 (LGS Policy) these local green spaces will be preserved to this effect.

Map 10.2