

Turvey Neighbourhood Plan

Regulation 14 Consultation: December 2019

Prepared by Fisher German LLP on
Behalf of Richborough Estates



Project Title

Land at Newton Lane, Turvey

01 Introduction

- 1.1 These representations are prepared on behalf of Richborough Estates in respect of their land interests at Newton Lane, Turvey. The representations respond to the Turvey Neighbourhood Plan Regulation 14, October 2019 consultation.
- 1.2 The land promoted by Richborough Estates is referred to in the Neighbourhood Plan documentation as Site 4a, 4b and 4c 'Newton Lane East'; illustrated below for ease.



Figure 1: Image illustrating Site 4a, 4b and 4c (Source: GoogleEarth)

Background

- 1.3 In March 2018, Richborough Estates submitted a masterplan to the Neighbourhood Plan Group (NPG) demonstrating how a scheme of 40 dwellings could be delivered on site (illustrated by Figure 2 below). The scheme proposed the delivery of 28 market dwellings and 12 affordable homes.



Figure 2: Newton Lane East Masterplan – 40 dwellings

- 1.4 Richborough Estates met with the NPG on 17th April 2019 following an invitation to “*continue dialogue with agents and landowners associated with sites which the AECOM assessment concluded were ‘potentially suitable’*”. At the meeting the NPG questioned whether Richborough Estates would consider promoting a smaller parcel of land comprising Parcel 4a only. Richborough Estates confirmed by email (dated 18th April 2019) that they were open to discussion in respect of this land and provided an image illustrating the extent of land understood to be the subject of discussion (Figure 3 overleaf).



Figure 3: Extent of land to be reconsidered, April 2019

- 1.5 Richborough Estates has responded to each stage of the Neighbourhood Plan consultation (Aims Discussion, Policy Areas Discussion and Site Selection Criteria, March 2018; New Housing Sites Consultation, April 2019; Sites for New Houses Event: Stage 2, October 2019). Richborough Estates also wrote to the Parish Council on 30th August 2019 following a review of the NPGs May 2019 Steering Group minutes which documented the Parish Council's concerns with the Carlton Road site being identified as the *"most suitable site to be included in the Plan"* (in addition to Mill Lane, Site 5).

02 Vision, Key Issues, Aims & Objectives to 2030

2.1 Richborough Estates support the overall vision set out in Paragraph 4.1 for Turvey to develop in a sustainable way providing housing where need exists whilst protecting the 'things' which are most cherished.

Key Issue - Housing

2.2 Concern is however raised in respect of Key Issue 'Housing'. The Plan refers to the Housing Needs Survey, undertaken in February/March 2017 for Turvey Parish Council by The Bedford Rural Communities Charity. This report identified the following:

- **Affordable Housing** - The report identifies that there are 32 households with a local connection suitable for affordable housing, whether rented or shared ownership; and
- **Market Housing** – 39 respondents are looking to purchase a property on the open market.

2.3 A total of 71 dwellings are therefore needed in Turvey to respond to existing needs. It is worth noting that these figures reflect the needs of the village only and do not take into account wider Borough need which is much greater than 71 dwellings. The report, however, discounts the identified need by 50%. No justification is provided for this. Considering only 33% of those canvased responded to the survey, it is reasonable to suggest that the 32 identified as being in affordable housing need should be considered as a minimum to be addressed over the next 10 years; particularly given no affordable housing have been delivered in Turvey in the last 15 years.

2.4 Richborough Estates commissioned Tetlow King Planning to examine affordable housing need in Bedford Borough, and Turvey. The report also considered the Parish Council's Housing Needs Survey and concluded that the Borough Council should be aiming to meet the full needs of the 32 households in need of affordable housing; any discounting of this identified need (as the Housing Needs Survey suggests) is not justified. The 32 households identified as being in affordable housing need is an absolute minimum. A copy of Tetlow King's Report is included as Appendix 1.

- 2.5 The proposed allocation of 50 new dwellings in Turvey will not come close to meeting the identified need for the settlement. At policy compliant levels of affordable housing this will only achieve 15 affordable homes across the period to 2030, falling drastically short of the identified need of 32 households identified as being in need of affordable housing in Turvey over the period to 2027, let alone to 2030.
- 2.6 In order to ensure that the affordable housing need in Turvey is fully addressed the number of homes to be taken forward in the Neighbourhood Plan needs to considerably increase. A minimum of 100 dwellings need to be delivered in Turvey just to meet the affordable housing need identified to 2027 for the settlement alone (excluding need which might arise from elsewhere in the Borough).
- 2.7 It is recognised that the Local Plan identifies a target of 50 dwellings for the Rural Service Centres. However, in examining the soundness of the Local Plan the Inspectors sought a Main Modification which enables allocations to exceed 50 dwellings “*where specific local justification*” is provided and, where it can be demonstrated that the scale, structure, form and character of the settlement and capacity of local infrastructure is appropriate (it is worth noting that the Borough Council in earlier iterations of the Local Plan had found that the Rural Service Centres could deliver 50 to 150 dwellings in each settlement). Given the locally identified housing need, it is considered that the Neighbourhood Plan should increase the number of dwellings it allocates in Turvey.

03 Strategy for Sustainable Growth

- 3.1 Paragraph 5.2 of the draft Plan states that the *“growth strategy identifies the most sustainable sites for development of housing whilst protecting sensitive landscapes and preventing extensive intrusion into the open countryside”*. As detailed in response to ‘New Housing Growth’ (below) Richborough Estates consider that the site selection process lacks transparency and is not justified and, as such the *“most sustainable sites”* for housing are not allocated within the Plan.
- 3.2 Paragraph 5.4 discusses the number of homes to be delivered by the Neighbourhood Plan. It states that *“respondents agreed that 50 houses should be provided, principally because it would give the maximum number of affordable homes, which would attract families whose children for whom the school currently has space¹”*. It is not surprising that respondents sought to maximise the number of affordable homes as Turvey has not had any affordable homes delivered in excess of 15 years. Richborough Estates support the desire to ensure the *“maximum number of affordable homes”* however, as set out in Section 2 above, delivery of 50 dwellings will not meet the full identified need for Turvey. It will deliver homes for only 15 of the 32 households in need; a minimum of 100 dwellings needs to be delivered in Turvey just to meet the affordable housing need identified. The Local Plan makes provision for Neighbourhood Plans to deliver more than 50 dwellings; given the housing need identified in Turvey, the numbers of homes being planned for in the Neighbourhood Plan should be increased.

¹ It should be noted that the school currently operates under capacity. The proposal for the school to become a Primary does not change this position. The school has capacity to respond to the delivery of in excess of 80 new dwellings in Turvey and still have capacity.

04 New Housing Growth

Housing Needs

- 4.1 The discussion in respect of the rationale and evidence for new housing growth again makes reference to the Housing Needs Survey. This is reported in paragraph 5.12 as providing evidence of need for 19 open market and 16 affordable houses in Turvey. As set out above the Survey reports 32 households with a local connection suitable for affordable housing and 39 respondents looking to purchase a property on the open market. A total of 71 dwellings are therefore needed in Turvey to respond to existing needs. There is no justification provided for reducing the identified need by 50%. Considering only 33% of those canvased responded to the survey, it is reasonable to suggest that the 32 identified as being in affordable housing need should be considered as a minimum to be addressed over the next 10 years.

Site Selection

- 4.2 Richborough Estates object to the approach taken to site selection. As set out below, it is considered that the selection process lacks transparency and is not justified; the allocation of Carlton Road is not justified and should be deleted from the Plan.
- 4.3 The supporting Site Assessment and Allocations Report, November 2019 sets out the approach taken to date in undertaking the Site Selection and provides commentary on the most recent site review which focused on Carlton Road and Newton Lane East. The various stages of assessment are considered below.

AECOM Assessment

- 4.4 The conclusions of the site-specific assessments of the AECOM Assessment (May 2018) are generally supported.
- 4.5 The Assessment concluded that both Newton Road East and Carlton Road were 'potentially suitable for development'. This conclusion however needs to be considered in the context of the site-specific assessments which were undertaken.

- 4.6 In reviewing the sites, the Assessment indicated that, for both sites, further evidence would be required in order to determine the potential impact of proposed development on heritage assets.
- 4.7 In respect of landscape impact, the AECOM Assessment advised of a potential adverse impact on landscape setting for the Carton Road site. The assessment states that *“development of this site would extend the village into the countryside to the north and does not appear to relate as well to the village as other options”*. For Newton Lane East (Parcel 4a) the Assessment considered that development could be suitable without harming the rural character of the area. The Assessment for Parcels 4a and 4b advised that development could be accommodated with landscape mitigation.
- 4.8 Recognising the need for evidence on heritage impact for each site, it is clear from the AECOM site specific assessments that Newton Lane East is considered to have a lesser landscape impact.

Rating of Sites by the Neighbourhood Steering Group against the Turvey NDP Site Selection Assessment Criteria

- 4.9 In addition to the AECOM Assessment, the Steering Group undertook a review of the sites against its own assessment criteria. As set out in Richborough Estates representations to previous consultations on the Plan, Richborough Estates do not consider that the scoring is transparent or based on any evidence.
- 4.10 The following scores are given for Carlton Road and Newton Lane East (Mill Rise is also included for information:

Essential

Criteria No.	Carlton Road	Newton Lane East	Mill Rise Newton Lane
1 Safe and adequate vehicle access	A	A	A
11 Flooding risk	G	G	G
14 Deliverable	G	G	G

Primary

2 Impact on village traffic	A	A	A
3 Can be absorbed sympathetically	A	A	A
4 Impact on valued landscapes	A	R	G
5 Impact of setting of heritage assets	A	R	G
6 Previously developed land/valued landscape	A	A	A

Secondary

8 Agricultural grade	A	A	A
9 Close to village core	G	G	G
10 Any known constraints	G	G	G
12 Degree of encroachment on open countryside	A	A	A
13 Proximity to public transport	G	G	G

Table 1: Appendix 2: NDP Steering Group Ratings of Sites

4.11 Newton Lane East scores RED against 'Impact on Valued Landscapes' and 'Impact on Setting of Heritage Assets'. No evidence has been provided to justify these scores nor has any evidence been provided to justify Carlton Road's AMBER score against the same criteria. Further, it is difficult to understand the RED scoring of Newton Lane East when considered in the context of the AECOM Assessment. There is no paper trail or availability of any additional evidence which has been used

to inform the Steering Group's assessment.

- 4.12 From review of the supporting Site Assessment and Allocations Report, November 2019 which details the site selection process, it seems clear that there is no additional evidence which has informed the Steering Groups assessment of sites, and that the AECOM recommendations have been ignored. The Report at paragraph 14 states, *"The rating of the sites by the Neighbourhood Plan Steering Group against the Turvey NDP site selection criteria site assessment criteria was recorded on the ratings grid [reproduced in Table 1 above]. Following site visits by the Steering Group, the site assessments were undertaken through lengthy discussion over the course of a number of meetings held in June and July 2018. These discussions were informed by the AECOM Site Assessment Report and Addendum Report which are available in full as well as Bedford Borough SHELAA (April 2017) findings where available"*.
- 4.13 As detailed above, the AECOM Assessment drew far more favourable conclusions in respect of landscape impact for Newton Lane East than Carlton Road, and was clear that a heritage assessment was required in order to determine any potential impact of the development of the sites on surrounding heritage assets. It is therefore unclear how the Steering Group has arrived at its conclusions for each site.

'Impact on Valued Landscapes'

- 4.14 In respect of the criteria 'Impact on Valued Landscapes' it is important to note that Newton Lane East is not a valued landscape. Case Law which addresses what constitutes a valued landscape states that *"to be valued would require the site to show some demonstrable physical attribute rather than just popularity"*.
- 4.15 A Landscape and Visual Impact Assessment (LVIA) has been prepared for Newton Lane East and is within the public domain and was in the public domain at the time the Steering Group were undertaking the site assessments. This assessed the landscape in terms of both the overall character and individual features. The assessment concluded that the site is of Ordinary value. The LVIA was prepared to support a planning application for the development of the site. In assessing the scheme, the LVIA concluded that *"the proposed development will not be introducing any incongruent elements into the landscape and will not impact upon views to or from the wider landscape of the River Great Ouse or surrounding landscape. The development will be contained by the local landform and mature vegetation, within the extents of development set by the local western edge"*

of Turvey, this separates the development from the sloping landform to the south by retaining and enhanced boundary vegetation. The proposals will therefore retain the special quality of views within the local area and produce an enhanced settlement boundary to the southern edge of Turvey."

- 4.16 No such assessment seems to have been undertaken for Carlton Road which scores more positively against this criterion than Newton Lane East. A Landscape and Visual Technical Note was prepared by Richborough Estates consultants in June 2017 and submitted to the Borough Council as part of Richborough Estates response to the Local Plan consultation at that time. This concluded that the Carlton Road site *"reflects the wider agricultural landscape to the north and does not form a logical extension to Turvey in landscape terms, particularly given the separation with the existing settlement edge"*. It goes on to state that "it does not have an evident visual relationship with the settlement edge or an established backdrop". A similar conclusion to that drawn in the AECOM Assessment. A copy of the Technical Note has previously been submitted to the Neighbourhood Plan Group.
- 4.17 Having regard to the evidence, which is known to exist for both sites, it is not clear why Newton Lane East scores RED and Carlton Road scores AMBER. It is considered that the scores should be reversed, or at the very least both sites scored AMBER.

Impact on Setting of Heritage Assets

- 4.18 A Heritage Desk Based Assessment and Statement of Significance with Impact Assessment has been prepared for Newton Lane East. Again, this report is in the public domain and was in the public domain at the time the Steering Group undertook the site assessments. No such evidence was available for Carlton Road. The Newton Lane East report acknowledges the sites relationship with the Conservation Area and some Listed Buildings within the Conservation Area. It concludes that development to the south of the Turvey Conservation Area would cause some change to this part of its wider setting but advises that any harm caused by this change would be very limited in nature. Existing vegetation, the retention of existing areas of open land, and the use of new landscape buffer zones within the proposed development, will block most views both to and from the Conservation Area. Moreover, key aspects of the significance of the Conservation Area, notably its coherence as a historic settlement, the relationships between its many historic buildings, the open approaches from the east and west along High Street/Bridge Street (A428) will remain unchanged.

- 4.19 The Assessment advised that the then proposed development (80 dwellings) had the potential to cause some change to the wider setting of some Listed Buildings. However, given the distances to the site and intervening vegetation, the changes would be limited in nature. Although the proposed development would result in an intensification of development on the south side of the village, it would not change the essential nature of the village and the Conservation Area as a coherent historic village.
- 4.20 The assessment concluded that any harm caused to the Conservation Area or the Listed Buildings would be at the lower end of 'less than substantial' (i.e. a minor impact to the southern part of the CA and a slight impact to the wider settings of some Listed Buildings).
- 4.21 Notwithstanding these conclusions Newton Lane East is scored RED against 'Impact on setting of heritage assets'. This is in contrast to the AMBER score which Carlton Road receives.
- 4.22 Carlton Road is immediately adjacent Grade II Listed Historic Park and Garden and Grade I Listed Turvey House. In addition, the site is in close proximity of the Conservation Area and views from the site and beyond exist to All Saints Church Tower. In this context it is difficult to understand the differences in scoring between the two sites.
- 4.23 A Heritage Desk-Based Assessment of the Carlton Road site was undertaken at the same time as the Landscape and Visual Technical Note, referred to above, was prepared. The assessment concludes that there is *"high potential for development of the site, along with any associated footway and carriageway alterations, to impact on the setting of the Grade II Listed Historic Park and Garden to Turvey House (New Park) and four Listed Buildings which lie within it that are located directly adjacent to the site, on the opposite side of Carlton Road to the west. There are direct views from the site towards these designated heritage assets. As such, it is considered that development would have a significant impact on them"*.
- 4.24 The assessment goes on to state, *"The setting of Grade I Listed Turvey House and associated heritage assets is comprised of its immediate gardens; the surrounding parkland (with significant topographical, vegetative and designed landscape attributes) and the wider landscape setting, which includes the [Carlton Road] site. The setting makes a notable contribution to the significance of the heritage assets, which is represented in a visual sense, in terms of clear landscape character, verdant quality and openness within the surrounding countryside. Additionally, the setting of Turvey House illustrates*

historical changes to the landscape over time. As such, views from, towards and through and across New Park and Turvey House would be materially impacted upon by development of the site, as a result of the associated change in character of the site and intervisibility that this would bring. This would result in harm to the significance of a Grade I Listed building and associated heritage assets”.

4.25 It is clear that there are more ‘disadvantages’ on heritage grounds for the Carlton Road site than the consultation document suggests and as such it seems wholly inappropriate that Carlton Road scores AMBER against the ‘Impact on Setting of Heritage Assets’ (particularly when a 30 metre planting buffer to the west of the site is required) and Newton Lane East scores RED. The scoring lacks evidence and objectivity and is not consistent or transparent.

4.26 It is considered that the scores should be reversed, or at the very least both sites scored AMBER.

4.27 The more recent supporting Site Assessment and Allocations Report, November 2019 (paragraph 21) acknowledges ‘heritage setting sensitivities’ on each site [Carlton Road and Newton Lane East] but goes on to state that there *“is a need to balance the negative impacts with the benefits achieved through development and the potential to mitigate negative impacts. In reaching a conclusion a significant factor was the Steering Group’s view that opportunities to mitigate negative impacts at the Carlton Road were more easily achieved and effective than at the Newton Lane East site”*. It is wholly unclear how this conclusion has been reached in the context of the information available for each site.

Principles which have Guided Site Selection

4.28 Paragraph 5.16 of the consultation document refers to the *“set of principles included within the site selection criteria”*. This includes *“to base growth on development of multiple sites, rather than delivering development on one site only”*. It is stated that *“This is to ensure that negative impacts (traffic, environment, amenity, etc.) are mitigated by being dispersed across different locations within the Parish rather than focused on one location”*.

4.29 The development of a single site, or indeed multiple sites in one particular location of the village, does not however necessarily create “negative impacts” which require mitigation through sites being dispersed across different location within the Parish. If negative or cumulative impacts could be evidenced, such an approach may be supported however no such evidence has been provided

to support this.

- 4.30 In 'justifying' the Carlton Road site, Paragraph 22 of the supporting Site Assessment and Allocations Report, November 2019, states that *"The location of Newton Lane East to the best preferred site as Mill Rise Newton Lane was in such close proximity that it would go against this principle"*. There is no evidence to suggest that the development of Mill Rise along with Newton Lane East would give rise to "negative impacts" in respect of traffic, environment, amenity etc. Plan making is evidence led and thus the steering group must have commensurate evidence to demonstrate that their policy directions and decisions are justified. Whilst it is recognised that the Neighbourhood Plan Group have highlighted an aim to disperse developments through the Parish, there is no specific evidence pointed to by the group that developments in one area would be unacceptable.
- 4.31 It is recognised that traffic is a concern of residents, it is in all settlements however, there is no evidence to demonstrate that Newton Lane cannot accommodate more dwellings than proposed at Mill Rise. Indeed, the Borough Highways has confirmed 'No Objection', subject to conditions, to the delivery of up to 80 dwellings off Newton Lane. This evidence demonstrates that there are no highways reasons why both sites cannot come forward despite being in close proximity.
- 4.32 Paragraph 5.16 of the consultation document refers to the *"set of principles included within the site selection criteria"*. This includes *"to base growth on development of multiple sites, rather than delivering development on one site only"*. It is stated that *"This is to ensure that negative impacts (traffic, environment, amenity, etc.) are mitigated by being dispersed across different locations within the Parish rather than focused on one location"*.
- 4.33 The development of a single site, or indeed multiple sites in one particular location of the village, does not necessarily create "negative impacts" which require mitigation by means of sites being dispersed across different locations within the Parish.
- 4.34 In 'justifying' the Carlton Road site, Paragraph 22 of the supporting Site Assessment and Allocations Report, November 2019, states that *"The location of Newton Lane East to the best preferred site as Mill Rise Newton Lane was in such close proximity that it would go against this principle"*. There is no evidence to suggest that the development of Mill Rise along with Newton Lane East would give rise to "negative impacts" or cumulative impacts in respect of traffic,

environment, amenity etc. Plan making is evidence led and thus the steering group must have commensurate evidence to demonstrate that their policy directions and decisions are justified. Whilst it is recognised that the Neighbourhood Plan Group have highlighted an aim to disperse developments through the Parish, there is no specific evidence pointed to by the group that developments in one area would be unacceptable.

- 4.35 It is recognised that traffic is a concern of residents and this may be why “negative impacts” are perceived if Mill Rise and Newton Lane East are both developed. However, there is no evidence to demonstrate that Newton Lane cannot accommodate both sites being brought forward. Indeed, the Borough Highways has confirmed ‘No Objection’, subject to conditions, to the delivery of up to 80 dwellings off Newton Lane. This means that if Mill Rise delivered circa 25 dwellings and Newton Lane East was allocated for circa 25 dwellings, the sites would still deliver less homes than already assessed and agreed.
- 4.36 Furthermore, Newton Lane East falls within the 30-mph speed limit for the village; this is in contrast to the Carlton Road site where vehicle speeds are considerably higher being some way outside of the village speed limit.
- 4.37 In respect of parking, the development of Newton Lane East offers additional benefits to the existing position at Newton Lane through the delivery of off-road parking (to the rear) for existing properties on Newton Lane; a benefit which cannot be delivered by any other site in the settlement. The southern section of Carlton Road, to the south of May Road towards the Village, is heavily parked with vehicles parking on the highway outside the cottages and beyond (there are approximately 7 dwellings on Carlton Road with no off street parking). This is in comparison to the few vehicles parked on the eastern side of the carriage way at Newton Lane; the Transport Assessment for Newton Lane East, which was agreed by Borough Highways, noted approximately three vehicles generally parked at any one time (there are approximately 2 dwellings on Newton Lane with no off street parking, and as stated above, the development of Newton Lane East offers the opportunity to deliver off road parking for both of these houses).
- 4.38 Evidence available within the public domain demonstrates that there are no highways reasons why both Mill Rise and Newton Lane East cannot come forward despite being in close proximity.

4.39 In respect of accessibility to services and facilities, with the exception of the Primary School (which it is accepted is closer to Carlton Road), Newton Lane East is located closer to the day to day services and facilities within the centre of the village and has a good Public Right of Way network providing alternative routes to these. Residents of Newton Lane East are therefore more likely to walk to these services rather than rely on the car.

4.40 As set out previously, the site performs better than Carlton Road in respect of landscape and heritage impact. There is no evidence to suggest that the cumulative impact of Mill Rise and Newton Lane East would result in detrimental impacts on the landscape and heritage assets if brought forward together. The same is applicable in respect of ecology, residential amenity, services etc.

05 Policy T1: New Housing Growth

- 5.1 For the reasons set out in Section 4 above, Richborough Estates object to Policy T1: New Housing Growth which seeks to allocate the Carlton Road site for housing development. The site assessment scoring which has led to the allocation of this site is fundamentally flawed and is not based on evidence. Furthermore, there is no evidence available to justify why more than one site cannot be allocated in a similar location in the settlement. The site selection process cannot be relied on to progress the Neighbourhood Plan and its allocations. If the Neighbourhood Plan is progressed on this basis it is requested that the Inspector conducts a Hearing to fully understand the selection process.

06 Local Green Spaces

6.1 Representations have previously been submitted in respect of the Local Green Spaces. It is noted that site J remains as a proposed Local Green Space within the draft Plan.



Figure 4: Turvey Neighbourhood Plan – Proposed Local Green Spaces

6.2 The NPPF (2019) sets out at paragraph 99 that the Local Green Space designation allows communities to identify and protect green areas of particular importance to them, through both Local and Neighbourhood Plans. It states that Local Green Spaces should only be designated where they are capable of enduring beyond the end of the plan period and should be otherwise consistent with the local planning of sustainable development. At paragraph 100, the NPPF sets out that the Local Green Space designation should only be used where the Green Space is:

- a) *In reasonably close proximity to the community it serves;*

- b) *Demonstrably special to a local community in that it holds a particular local significance, for example because of its beauty, historic significance, recreation value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) *Local in character and is not an extensive tract of land.*

6.3 The National Planning Practice Guidance (NPPG) provides further guidance with regards to Local Green Space and is a useful tool when considering the designation of land as Local Green Space.

6.4 It is clear, having regard to Policy, Planning Practice Guidance and our own experience at Neighbourhood Plan Examinations, that a Local Green Space designation should be used sparingly, and only for those locations where it can be proven with evidence that they are demonstrably special to the local community.

Site J – Land Between Jacks Land and Newton Lane

6.5 It is understood that site J, to which this representation relates, was nominated for selection by a member of the community, not by virtue of its designation as 'Village Open Space' within the Bedford Allocations and Designations Local Plan (2013) Policies Map's. There is no evidence available, nor justification provided however as to why Site J is demonstrably special and why it is proposed as a Local Green Space.

6.6 In respect of the compliance of the above land with the criteria set out in the NPPF, we have outlined our comments below by the NPPF criteria.

Reasonably Close to the Community it Serves

6.7 It is agreed that this site is in reasonably close proximity to the community it serves, adjacent to Turvey on its northern, eastern and western sides.

Demonstrably Special to the Local Community

6.8 **Beauty** - It is considered that the site would not qualify as demonstrably special to the Local Community with regards to beauty. The parcels of land are typical of the British countryside, and not dissimilar to the countryside surrounding the wider village.

6.9 For the site to qualify against this criterion there would need to be clear evidence that the site is both demonstrably more beautiful than other land in the vicinity and that the community holds its

beauty as demonstrably special.

- 6.10 **Historic Significance** - The site does not appear to have any clear demonstrable historic significance to warrant its designation as Local Green Space.
- 6.11 **Recreational Value** - The site is not publicly accessible beyond the Public Right of Way (PRoW) which crosses the parcels of land.
- 6.12 The PRoW already benefits from statutory protection and as such the land does not require further protection by virtue of the PRoW. There is no wider recreational use of Parcel J, beyond that of the PRoW.
- 6.13 The National Planning Practice Guidance on the subject of LGS at Paragraph 17 states "*Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with landowners, whose legal rights must be respected*". Paragraph 18 continues "*There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation*".
- 6.14 It is clear therefore that Parcel J should not be designated as a Local Green Space on this basis.
- 6.15 **Tranquillity** - Whilst the site could be considered tranquil, it is not likely to be demonstrably more tranquil than other areas of neighbouring land and within the wider Parish. As a rural settlement, tranquillity is likely to be less valuable when compared to more urban locations.
- 6.16 **Richness of wildlife** – The site does not benefit from significant biodiversity value, above that found in neighbouring parcels of land. If the site was to be designated as Local Green Space on biodiversity value, then significant evidence would be required to demonstrate its biodiversity value and that this ecology was demonstrably special to the local community.

Expansive Tract of Land

- 6.17 Parcel J is approximately 3.5 hectares. This is the largest site proposed as a Local Green Space within the emerging Neighbourhood Plan. The parcel spans half the length of the village and in relation to Turvey is a very large area, disproportionate to the size of the village.

6.18 Within the NPPG, Paragraph 15 states “*blanket designation of open countryside adjacent to settlements will not be appropriate*”. Given the number of separate paddocks that this designation encompasses, and the size of the designation compared to the size of the settlement, we would consider it to constitute a blanket designation. For the reasons listed above therefore we would consider the proposed designation to be an expansive tract of land, incompatible with the NPPF criteria.

Summary

6.19 It is considered that, against the stringent criteria of the NPPF, Parcel J would not qualify as a Local Green Space. Whilst we accept that the site is in reasonably close proximity to Turvey, there is no evidence available to demonstrate that it is demonstrably special to the local community. In addition, Parcel J is considered to be an extensive tract of land. The site does not therefore meet the stringent tests set out in paragraph 100 of the NPPF and should not therefore be designated as Local Green Space.

6.20 The Inspectors conclusions in respect of the Hertsmere Local Plan: Sites Allocations and Development Management Policies Examination are worth considering in the context of the above. A paddock, in a far more central location with reported community value, did not meet the strict NPPF criteria. The Inspector, in his Report to the Council, commented that the site was different to other designations proposed, which were all publicly accessible parks and war memorials, advising that paddocks by their very nature, are not likely to benefit the wider community.