

**MATTER NO. SC4C XXV**

**PERSONAL REF: 1528**

**REPRESENTATION NO. 60497 & 64951**

**November 2016**

**EXAMINATION OF THE SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL  
SUBMISSION LOCAL PLAN**

**STATEMENT BY MARTIN PAGE OF BARFORD + CO  
ON BEHALF OF MERTON COLLEGE**

**Barford+co**

HOWARD HOUSE, 17 ALFRED STREET, BUNGAY, SUFFOLK, IP8 4JQ  
01480 213811 • WWW.BARFORDS.CO.UK

## 1.0 Background

- 1.1 Barford + Co are retained by Merton College, Oxford to represent its objection to the proposed Local Green Space designation at Lupin Field, Gamlingay identified on the attached Plan 'A'. Merton College is one of the land owners of the proposed designation area, as shaded yellow on the attached Plan 'B', with part of the area (shaded dark yellow) being leased to the Gamlingay Parish Council for recreation use under a 10 year licence agreement dated 2011.
- 1.2 The proposed designation is considered unjustified and contrary to the guidance in the National Planning Policy Framework and Planning Practice Guidance and is therefore not sound.

## 2.0 The Matter

- 2.1 The following statement addresses the Inspectors question: *'Would Lupin Field, Gamlingay meet the designation criteria for LGS in terms of particular local significance as it represents an area of scrub and open grazing that is indistinguishable from other areas of open space around the village and only part of the area supports recreational activities and this is on a temporary arrangement? Further, the land is beyond the village development framework and would therefore be protected from future development which could result in coalescence with Dennis Green by Policy S/7 of the Plan. (NH/12-076)'*
- 2.2 Before addressing the question we consider it necessary to raise a point of clarification. In the submissions to the Issues & Options consultations the Gamlingay Environmental Action Group referred specifically to *'land at junction of Heath Road and Green Acres, Gamlingay (known locally as 'The Lupin Field')'* and identified the area in Appendix 'C'. In its submission in response to the Issues and Options consultation the Gamlingay Parish Council similarly specifically identified the area in Appendix 'C' and in response to the Issues and Options 2 consultation it argued the *'The Council strongly request that the responses to the application S/0556/12/FL are considered as **evidence of the worth of this field** for protection due to its beauty, tranquillity and richness of wildlife'*. The planning application S/0556/12/FL was for the development of 20 affordable houses on the area in Appendix 'C' that was refused in June 2012. In the circumstances we question whether all of the proposed designation land is regarded to be 'demonstrably special' and whether the correct area is identified. To our knowledge the 'Lupin Field' does not include the Merton

College land.

***Would Lupin Field, Gamlingay meet the designation criteria for LGS in terms of particular local significance as it represents an area of scrub and open grazing that is indistinguishable from other areas of open space around the village and only part of the area supports recreational activities and this is on a temporary arrangement?***

- 2.3 Paragraph 77 of the National Planning Policy Framework explains the Local Green Space designation will not be appropriate for most green areas or open space and the designation should only be used in particular circumstances, including:
- 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.
- 2.4 Since the Council undertook consultation on the Proposed Submission Local Plan in September/October 2013 the Government has published the Planning Practice Guidance which clarifies that the blanket designation of open countryside adjacent to settlements will not be appropriate for designation and this should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.
- 2.5 The South Cambridgeshire District Council has provided no specific explanation of the special character and particular local significance of the proposed designation land and its case is reliant on the representation made by the Gamlingay Parish Council. The justification that supports the proposed designation is contained in the Gamlingay Parish Council's response to the Issues and Options 2 consultation and this refers to the land as a '*local natural resource*' and '*richness of wildlife*'. However, the ecology report that supported the application S/0556/12/FL concluded '*The Site is currently evaluated as being of low ecological value*'. Moreover, the proposed designation area includes a variety of different maintenance regimes ranging from scrub to the south and paddock and open space on the Merton College land and there has been no identification of any ecological value for the College land. The SCDC Local Green Space Evidence Paper<sup>1</sup> notes that to have wildlife value the area must provide for '*biodiversity, protecting community woodlands, meadows, known protected species. Not just general presence of wildlife*'. There is no evidence any or all of the area meets this criterion.

<sup>1</sup> Appendix B7 for Item 3 of the report to the Planning Policy and Localism Portfolio Holders Meeting 11.06.13

- 2.6 The Parish Council stated *'the area is the only open space in proximity to a fairly dense housing development, which has limited open space opportunities, being a significant distance away from formal recreational land situated off Stocks Lane'*. The SCDC Local Green Space Evidence Paper<sup>2</sup> notes that to have recreational value the areas should be a *'Play area, allotments, sports fields, informal grassy area within housing estate. Relates to an event in village such as a fete'*. Only part of the land serves any recreational use and meets this criterion and this is only on a temporary arrangement.
- 2.7 The Parish refer to the area as having *'beauty'*. The SCDC Local Green Space Evidence Paper<sup>3</sup> notes that to serve this function the area should be one that *'Enhances rural character of village. Adds to setting of groups of buildings'*. However, this is not an area of beauty, comprising a scrub area and open grazing land that is indistinguishable from other areas around the village. Former Local Plans have incorporated an 'Area of Best Landscape' policy that extended over more than three quarters of the land around the village and this did not especially distinguish the proposed designation land.
- 2.8 The Parish distinguish the area because of its *'tranquillity'*. The SCDC Local Green Space Evidence Paper<sup>4</sup> notes that to meet this criterion the area should be *'Near a church, open space with seating and views of village or wider countryside beyond. Green space that allows for quiet enjoyment'*. The proposed designation area has no *'tranquillity'* qualities that distinguish it from other open land around the village and this does not meet the Council's criterion.
- 2.9 Reviewed against the advice in paragraph 77 of the NPPF we highlight the area is not of known historic significance and no such case has been made.
- 2.10 Representations in respect of the Issues and Options 1 consultation in July - September 2012 were submitted by Dr Brycchan Carey of the Gamlingay Environmental Action Group (Rep. 40376) and the Gamlingay Parish Council (Rep. 33539) promoting the 'The Lupin Field' – *as identified on the attached Plan 'C'* as a Local Green Space. The request was considered in the report to the Planning Policy & Localism Portfolio Holder in December 2012 (Item 14 Additional Documents Appendix J Sustainability Appraisal for Part 2 - Appendix 12 Review of Proposals for Local Green Space, Protected Village Amenity Areas

<sup>2</sup> Appendix B7 for Item 3 of the report to the Planning Policy and Localism Portfolio Holders Meeting 11.06.13

<sup>3</sup> Appendix B7 for Item 3 of the report to the Planning Policy and Localism Portfolio Holders Meeting 11.06.13

<sup>4</sup> Appendix B7 for Item 3 of the report to the Planning Policy and Localism Portfolio Holders Meeting 11.06.13

and Important Countryside Frontages), which described the area 'A large rough grassy area with well-established trees along north-eastern edge beside Greenacres. It would have some wildlife values. It is on the western edge of Gamlingay village outside of the village framework.'

*It does not appear to have any distinguishing features to it to be identified as LGS.*

*The Parish Council has mentioned this field in their submission relating to wanting to preserve the special character Gamlingay has with its nearby hamlets. (Representation no.33539) According to the respondent this area is demonstrably special to the village.'*

The officer recommendation was '**Site does not meet test for either PVAA or LGS.'**

- 2.11 No Local Green Spaces in Gamlingay were proposed in the Issues and Options 2 consultation document in January – February 2013. However, comments were canvassed on the Parish Council proposal for land at Dennis Green, The Cinques, Mill Hill, Little Heath, The Heath, Gamlingay. The District Council's consultation document noted '*The Parish Council would like to protect the particular settlement pattern that Gamlingay has with its numerous outlying hamlets namely Dennis Green, The Cinques, Mill Hill, Little Heath, The Heath. The outlying hamlets are outside of village framework of Gamlingay and there would need to be extensive coverage of LGS if it were to be used to protect the special local character of Gamlingay and its hamlets. Extensive nature is contrary to guidance in NPPF. **LGS designation not appropriate.***'
- 2.12 In response to the consultation the Parish Council again promoted 'The Lupin Field' for designation as a Local Green Space. In its submission it noted this provides separation from the hamlet of Dennis Green and the Green Acres estate and stated '*The remaining field separating the two settlements is known as 'The Lupin Field' and has been highly valued by Gamlingay and Green Acres residents as a 'green lung' – its diversity of wildlife and array of wild flowers and lupins is a constant local natural resource which many benefit from. Evidence of local views on the value of this site to the local community was demonstrated in relation to the significant level of response from community in relation to a previous planning application S/0556/12/FL land at Heath Road, Gamlingay'. The Parish also stated 'The Council would like consideration to be made of the protection of 'The Lupin Field' as a main priority for a Local Green Space policy in Gamlingay. The value this space holds in terms of local support and appreciation is clearly demonstrated. The site is in very close proximity to the community it serves, and is the only open space in proximity to a fairly dense housing development, which has limited open space opportunities, being a significant distance away from formal recreational land situated off Stocks Lane. The Council strongly request that the responses to the application S/0556/12/FL are considered as evidence of the worth of this field for protection due to its beauty, tranquillity and*

*richness of wildlife. The land in question is not an extensive tract of land'. We highlight the land the subject of the application S/0556/12/FL is the same area identified on the attached Plan 'C'. The Parish representation included a submission from the Gamlingay Environmental Action Group stating 'GEAG agrees very strongly that land **at junction of Heath Road and Green Acres, Gamlingay (known locally as 'The Lupin Field') and.....'***

- 2.13 The Parish Council's request was reported to the Planning Policy & Localism Portfolio Holder meeting on the 11<sup>th</sup> June 2013 when it was resolved to designate Lupin Field and the College land to the north as a Local Green Space. **However, It is significant that on two occasions SCDC has stated the Lupin Field site was not considered to meet the test for a Local Green Space and the designation is not appropriate.**

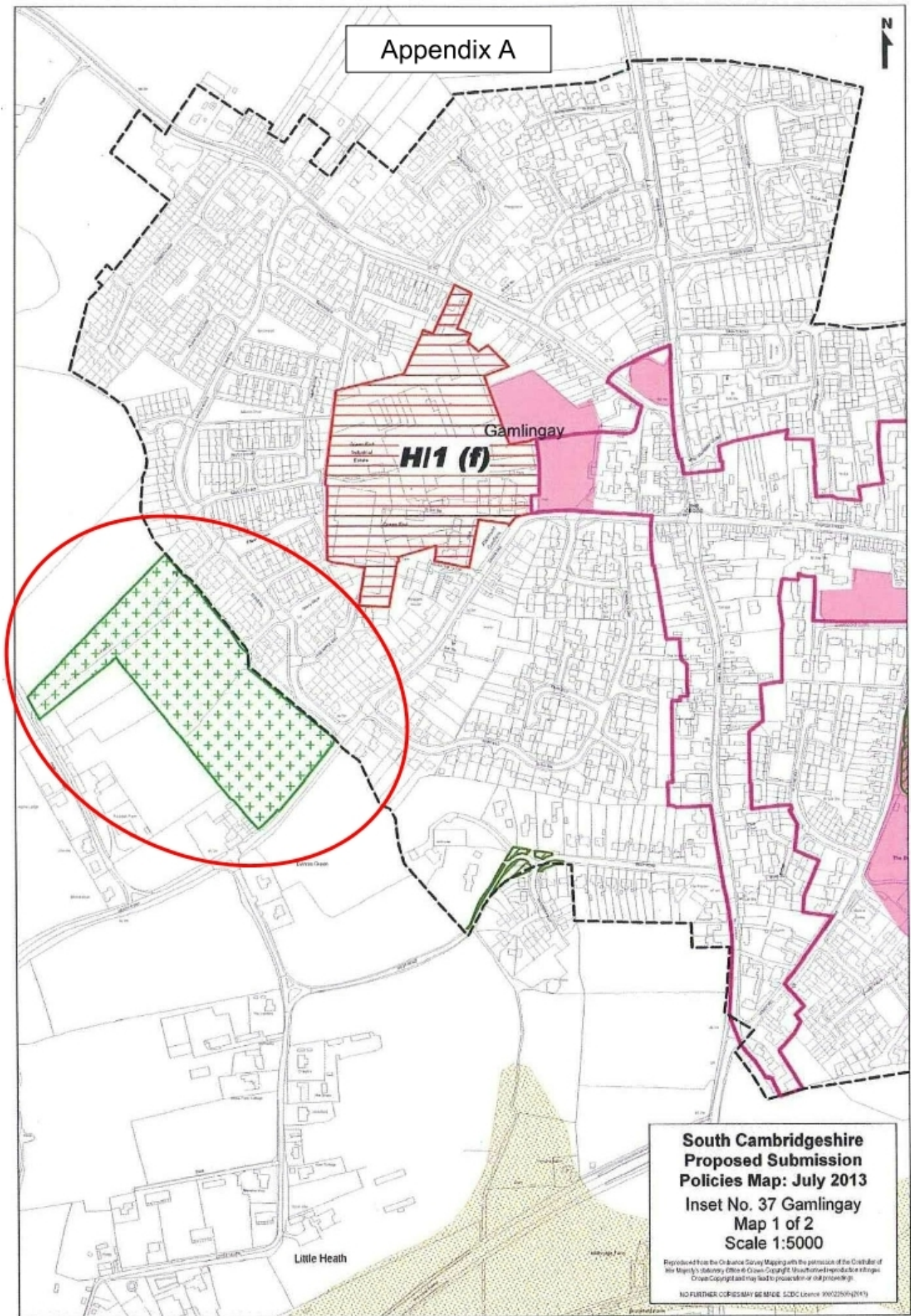
***Further, the land is beyond the village development framework and would therefore be protected from future development which could result in coalescence with Dennis Green by Policy S/7 of the Plan.***

- 2.14 As previously highlighted the South Cambridgeshire District Council has provided no specific explanation of the special character and particular local significance of the proposed designation land and its case is reliant on the representation made by the Gamlingay Parish Council. One of the justifications contained in the Gamlingay Parish Council's response to the Issues and Options 2 consultation refers to its significance because it provides separation from the hamlet of Dennis Green and the Green Acres estate and should be safeguarded for this reason. However, this explanation does not explain the inclusion of the College land. Furthermore this in itself is not regarded to provide special justification when bearing in mind the land lies outside of the Gamlingay Village Development Framework and is therefore already safeguarded from development by the Submission Local Plan Policy S/7, where only development for agriculture, horticulture, forestry or outdoor recreation will be acceptable. With the existing policy safeguard the proposed designation is therefore unnecessary and this is reflected in the fact the policy framework has prevented the development of the scrub area despite a number of planning applications over the years. Most recently this was refused in June 2012 for reasons including the proposed development *'will extend the built form of development along Heath Road for an additional 75 metres towards Dennis Green and will substantially erode the open space between the main built-up area of the village and Dennis Green, which in turn will materially damage the character of this part of the village and rural landscape'*.

- 2.15 If the proposed designation land is regarded to have significance as an area of separation, we query why it has not been designated an Important Countryside Frontage in previous development plans. Policy CH/7 of the adopted Development Control Policies SPD designated such sites and the supporting text notes *'In many places land with a strong countryside character penetrates or sweeps into South Cambridgeshire's villages or separates two parts of the built-up area. Such land enhances the setting, character and appearance of the village by retaining the sense of connection between the village and its rural origins and surroundings. The frontage where this interface particularly occurs is identified to indicate that the frontage and the open countryside beyond should be kept open and free from development. In most cases it is land which adjoins the village built-up area but **in some cases it separates two parts of the village and the open intervening land therefore assumes an importance for the character of the village as a whole**'.*
- 2.16 The Planning Practice Guidance clarifies Local Green Spaces may be designated where those spaces are demonstrably special to the local community, whether **in** a village or **in** a neighbourhood **in** a town or city. It also clarifies the blanket designation of open countryside adjacent to settlements will not be appropriate. In light of the advice we consider the Parish Council is misguided in its proposed use of the designation to protect land outside of the settlement, particularly when the development plan framework defines the land as part of a blanket of open countryside outside the settlement and where there is already a general policy presumption against development, except in particular circumstances.

### 3.0 Conclusions

- 3.1 For the above reasons the proposed allocation is considered inappropriate, unnecessary, contrary to the NPPF and as such this is considered not sound. This is reflected in the fact that when initially requested to designate the area as a Local Green Space officers concluded the **'Site does not meet test for either PVAA or LGS'**. In the absence of any change in circumstances we consider this remains the case and accordingly, we recommend the proposed designation of the area known as 'The Lupin Field' be deleted from the Local Plan.







Appendix C

# The Lupin Field Area

