



Mrs Caroline Barnby
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Planning Policy & Growth Strategy Team
South Northants Council
The Forum
Moat Lane
Towcester
NN12 6AD

12th June 2018

Dear Mrs Barnby,

Re Consultation in respect of LGS03 designation of Jubilee Field, Upper Boddington as Local Green Space

I am writing on behalf of Boddington Parish Council to object in the strongest possible terms to the SNC proposal to designate the Jubilee field in Upper Boddington a Local Green Space. I have set out below our responses to SNC's comments on the Jubilee field and add further comments at the end. You will also be receiving letters supporting the Parish Council from parishioners.

Reference
LGS003

Parish Name
Boddington (Upper)

Name
Jubilee Field, Upper
Boddington

COMMENT



The Photos are misleading and create the impression that the field is flat and akin to a sports field. This is incorrect. The picture below was taken from the SW corner and better shows the slope and unevenness.

Plan



The map identifies the Jubilee field. The other green areas are all outside the village confines. The map does not show the location of the Jubilee field relative to the whole village (let alone the whole parish) nor does it show the other major playing field owned by the Parish which is to the west of the Village Hall. Boddington is surrounded by green space and other vantage points (eg by the Church and School) offer much better views.

Site Size: 1.4 ha.

Site Description

A Paddock area extending from London Road / Townend Lane to Frog Lane within Upper Boddington village. The land is steeply sloping land rising to London End where it flattens out and forms a green wedge of undeveloped land.

Describing the field as a paddock is inaccurate and suggests attributes that are not present. i.e. the field is not fenced and untethered horses would be able to escape. The ground is also very uneven and could cause injury to animals and people.

Proposed Local Plan Allocation or Designation

No allocations in the Local Plan. Site lies within the village confines of Upper Boddington as set out in the 1997 Local Plan. This means that the principle of housing development on the site is acceptable if all other planning considerations are satisfactorily met.

In considering the sustainability of the village it needs also to be recognised that this is the ONLY site within the village confines available for housing development. The Parish Council purchased the property so that it could control any future development that took place, not to turn it into a green space.

Planning History
(Are there any
Planning
Permissions at
Site?)

S/2016/1217/MAF - Change of use from agricultural land to public use approved in August 2016 - Permission granted (Applicant: Boddington Parish Council).
S/2002/1553/PO – Outline application for 8 dwellings seeking access and siting – Refused by SNC and Appeal Dismissed.

S/2003/1627/PO – Residential development for 4No. dwellings – Outline – Refused by SNC and Appeal Dismissed.

S/2010/0365/OUT – Residential development of 6 houses (outline) – Refused by SNC and Appeal Dismissed.

This is the most recent (but 8 years ago) application for housing. SNC refused permission as contrary to approximately 9 policies. At appeal the applicant won on most of these reasons. The appeal inspector found no objection (in favour of the development) on grounds of archaeology, housing supply, bio diversity, drainage and effect on the wider landscape ie not harmful to the Special Landscape Area and it was only the Parish Council's argument in respect of 'character and appearance' that prevented the development taking place.

Site is an Asset of Community Value.

The Parish Council objected to the designation as an ACV. The Parish Council had grounds for appeal but chose not to exercise them as this would be a waste of Parish and District Council funds. The Parish Council has given notice of its intention to sell in whole or part and the moratorium period has now expired.

If designated as
Local Green
Space can it
endure beyond
the plan period?
Why?

Site is owned by the Parish Council. The PC has expressed an interest to develop some of the site for housing. It is understood that the PC has given notification of its intention to sell the site. However, in the absence of any current planning approvals or local plan allocations to develop the site there is nothing to indicate that the designation could not endure beyond the Plan period.

This statement is both inaccurate and misleading. The Field belongs to the PC (Parish Council) who have the responsibility for its maintenance and upkeep. Having purchased the field the PC sought volunteers who would help with its maintenance and fund raise to offset costs. Through the efforts of those volunteers the field, under the direction of the PC has been cleared and maintained. The PC continues to mow part of the field. The PC allocated funds for improvements and used grants from the New homes Fund and the local Turbine Fund to add a car park etc. In addition the volunteers ran some fund raising events, which gave a profit of £2,720 over the course of 5 years. The PC disbanded the volunteer group in 2017 as it no longer considered itself

There is a local group called the Friends of Jubilee Field who have been involved for some 10 years with the aim of maintaining and improving the field through mowing, hedge cutting and other field maintenance. Previously the Group has organised fund raising events and sought grants for improvements to the Field. Although previously run under the auspices of the PC it is understood that the Group was disbanded by the PC in 2017 and no longer has any connection to the PC and now has charitable status.

accountable to the PC and did not comply with transparency requirements nor provide adequate information in order that the PC could meet the requirements of its insurers.

Having set out to obtain the desires of the parish as a whole, some of these volunteers formed the Friends of Jubilee Field (FOJF), originally as an unstructured group, then as a charity and currently as a community benefit society. This group regularly claim they are responsible for all the positive aspects of the Jubilee Field and the Parish Council is the bogey man. Members of the FOJF regularly oppose other initiatives within the parish and endeavour to discredit the efforts of the PC and other parish groups. SNC needs to be wary of accepting submissions from this group without independent authentication. It should also be noted that this group is trying to raise funds to purchase the JF and it has publicly stated that it has a market valuation of the field at £75,000. This is over 25% less than the PC paid 6 years ago.

Is it in close proximity to the community it would serve?

Yes. Within built up framework of the village

It depends upon how one defines community. The site is owned by the Parish Council and paid for out of precept. Boddington is one parish and two villages and the 'community' is both Upper and Lower Boddington. The justification for the car park at the JF was to enable residents of Lower Boddington to access the field. The JF is not central in Upper Boddington and it is over one mile from Lower Boddington. The most appropriate response to this question is **Debateable**.



Is the site local in character and not an extensive tract of land?

Yes. The site is relatively small and forms a distinct well defined area.

The site is over 3 acres and for its size is very under-utilised. The site is an island area that was left behind when Upper Boddington was extended eastwards by the addition of the properties on London End in the 1960s/70s (see OS map on right).

<p>Does the site have local significance? Can the site be shown to be demonstrably special to a local community? Is it well used by the community? Is it multi-use space? Is it currently publicly available</p>	<p>Public right of way footpath crosses the site.</p> <p>The site has effective status as public open space, based on planning permission granted in August 2016, and is therefore publicly available.</p> <p>From representations made to the Council it appears to be well used by the local population as play space.</p>	<p>This is misleading. Many of the representations made are inaccurate and the planners have done little to verify the assertions on its use. Decisions should be based on proper empirical evidence not subjective impressions. The parish survey asked parishioners how often they used the Jubilee Field and 200 out of 339 (59%) rarely or never use it (Parish plan pp.37) whereas 85% use the bridleways and footpaths. It cannot be said the site is demonstrably significant to the community as a whole not that it is well used by the community. A few people in the community use it repeatedly to walk their dogs.</p> <p>Of the 145 representations made to the invitation for nominations as Local Green Space, 16.5% were objections to designation as LGS even though there was no call at that time for opposing views. Furthermore many of the representations in favour were duplications and from people who no longer live in the village. Some representations came from children presumably at the behest of the parents. Most of the nominations come from people who live around the field and have a vested and financial interest in seeing the field retained as a green space. SNC and the PC should be serving the community as a whole and not a minority who have a vested interest.</p>
<p>Is it beautiful? (Is the area attractive? Does it have high visual amenity?)</p>	<p>Yes. The site is a locally distinctive visually attractive area that contributes positively to the local landscape, character and the setting of the settlement. Conclusions from previous appeal inspectors consider that views through the site give the impression of countryside penetrating into the heart of the village.</p>	<p>Boddington is surrounded by beautiful countryside and there are amazing views over Oxfordshire and Warwickshire from other places in the village as well as the heavily used local footpaths (see back cover of the parish plan). The Jubilee Field is not beautiful. One cannot say that the whole site has high visual amenity as the views diminish dramatically as one moves down the slope. Nevertheless LGS designation is being proposed for the whole site. The views West are visually attractive. However, the same views are available, with a much wider panoramic field of view along the Buckle, the road connecting Upper and Lower Boddington where there is a public footpath and several vantage points to stop. There is also a bench donated by the WI. The Parish is surrounded by beautiful countryside, so the Jubilee Field is not unique.</p>

The comment made about previous appeals inspectors is selective and intended to mislead. It should be noted that in the last planning appeal, the inspector actually wrote *"I agree with the previous Inspector who having considered the effect of those small housing schemes on the wider setting concluded that given the natural screening of the appeal site when seen in longer views, the character of the village, would not be harmed. In my opinion, this situation still prevails and the modest proposal under this appeal would not be readily seen in views across the wider landscape. Accordingly, the proposal would not be harmful to the Special Landscape Area and would not conflict with saved LP policy EV7 and policy 31 of the East Midlands Regional Plan."*

If the PC developed part of the site it would try to do so in a way that retains public access to the views such as they are. At best this question should be answered **"Yes in small parts and only to a limited extent"**

Does it have historic significance?

The site is a designated archaeological asset as the site of an early medieval - modern village. (ID: MNN3227).

Although the site is a designated archaeological asset that does not make it sufficiently significant to fulfil the criteria. The SNC Design and Conservation team concluded in 2017 that "Archaeology is present within the village, some of which is believed to be sections of the former settlement, however this adds little to its current character"

Does it have recreation value?

The site has effective status as public open space and it appears to be well used by the local population.

The PC was granted planning permission in 2016 for the change of use from agricultural land to public use (S/2016/1217/MAF).

An unbiased response to this question would be **NO**

Recreation is an activity of leisure, leisure being discretionary time. The "need to do something for **recreation**" is an essential element of human biology and psychology. 59% of respondents in the Parish Plan said that they either never or rarely used the Jubilee Field, whereas 85% use the local bridleways and footpaths. It cannot be said that the site is demonstrably significant to the community as a whole.

Is it tranquil? Is it a peaceful place away from noise and bustle?	The site is located within the built up area of Upper Boddington. Dwellings are clearly visible from the site and there is some limited noise from passing traffic on the local road network which cannot be regarded as completely tranquil. However the scale of the site does allow for areas to sit quietly in general tranquillity and beauty albeit in relatively close proximity to the built up form of the village.	Boddington is a country parish not an urban town. Tranquillity is a natural feature of the whole parish. The Jubilee Field is not exceptional in this respect. This question should not be relevant to consideration of Local Green Space in a village.
Does the site have wildlife and biodiversity value	The site is surrounded by hedgerow which will have some wildlife and biodiversity value. From evidence submitted to previous planning appeals work undertaken on the site has sought to encourage wildlife back to the site with layering of hedges, the planting of native trees and wild flowers. It is understood that the site is unlikely to be of ecological value in terms of the presence of protected species. Therefore, the site is not considered to be suitable for LGS designation for its richness of wildlife alone.	Wildlife and biodiversity surround the whole area. There are more significant sites in the parish including the 2.3 ha Boddington Meadow nature reserve managed by the Wildlife Trust. We agree that the site is not suitable for LGS designation based on the richness of its wildlife and biodiversity.
Should it be designated as Local Green Space or not? Why?	Yes. The designation of local green space should not be used generally as a means of preventing unwanted development.	Disagree Agree that LGS should not be used as a means of preventing unwanted development and the planning history is not therefore material other than to demonstrate that there are existing means to protect the area.

Although the Council understands that the Parish Council wishes to develop part of the site, this desire and the fact that it owns the land does not overcome the planning issues that affect its suitability for development, and that have been independently considered by the planning Inspectorate on 3 separate occasions. The planning history of the site consistently indicates that development of even a part of the site would be inappropriate and would cause unacceptable damage to the character and appearance of the area.

No information (through a preapplication or planning application) has been submitted in an attempt to overcome these issues. It is therefore concluded that were this site to be identified as local green space, it would not be inconsistent with national guidance that considers that designating any Local Green Space will need to be consistent with local planning for sustainable development in the area.

The site is very well related to the village and is of appropriate scale for consideration as a LGS. The important contribution that the site makes to the local landscape, character and setting of the settlement, combined with the public benefit through its multi-purpose recreational use derived from the use of the site and improvements made to it over recent years, makes the site eminently

The last planning application was for 6 large houses, 8 years ago. The Parish Council is investigating partial development of the field to provide much needed affordable and accessible housing. This would be a major investment for the whole parish and its future.

This is not a reason for designating the field as a Local Green Space

This is a weak justification. National Planning framework states:
The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- 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

suitable for designation as LGS.

tract of land.

It follows that LGS should be an exceptional designation. The planners have failed the two part test to show the green area is demonstrably special to the local community AND holds a particular local significance.

There are a number of other reasons that designation of the Jubilee Field as a Local Green Space should be refused:

- It cuts across the whole idea of the Localism Act, which is intended to allow local people, through a democratic process, to decide the way their community is developed.
- The Parish Council own the property and consequently their duty is to see that it benefits the community rather than maximises profit. It is therefore protected from unwanted development.
- The National Planning framework also states:

“Local communities through local¹ and neighbourhood plans are able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

Boddington could not do a Neighbourhood plan until it had identified its problems and a strategy to overcome them. It is on the path to realising its strategic vision and should be allowed to continue. Our local planning shows we need sustainable development and investment in sufficient homes, jobs and other essential services. SNC planners do not give sufficient attention to our local needs.

- Councillors have a fiduciary duty to maintain the value of parish assets and have consistently voted not to change the planning category of the Jubilee field. The objective of the PC in purchasing the field was to control any future development and prevent a developer building properties that would be of little benefit to the community. It was not purchased with the expressed intention of no future development.
- The Parishioners have been consulted as to what they want and it written up in the Parish Plan. Unfortunately extensive consultation was not carried out prior to the Parish buying the field.
- The field is under-utilised and the PC has a duty to ensure its assets are well utilised.

¹ E.g. as prepared by South Northants District Council.

- The Parish Council rejects the argument of the Friends of Jubilee Field who say there are other sites for housing outside the confines as the PC has no real control over any developments that might take place. The PC rejects comments from the supporters of the FOJF idea that it builds on the Charles Cowper Playing Field.
- No consideration has been given as to whether it is appropriate to designate the whole or only part of the field as a Local Green Space. At 3.45 acres the field would be capable of supporting both housing and recreational use.
- Designating the field as a LGS will substantially devalue a parish asset and compel the parish to pay the equivalent of two years precept to fund the outstanding loan. Developing part of the field for affordable/accessible housing for local people will serve the whole community.
- A recent valuation of the Jubilee Field commissioned by the Friends of the Jubilee Field revealed an interesting result. The valuation was £75,000. In 2012, The Parish Council in their wisdom paid £100,000 for the field. The obvious conclusion drawn from this that the designation of the Jubilee Field as an Asset of Community Value has devalued this Parish Asset by 25%. Designating the field as a Local Green Space will devalue it further.
- The Parish Plan survey shows that the majority of parishioners are in favour of some development and the minority that is opposed are clustered around the field. The PCs position on the JF as a Local Green Space and being used for housing is set out in pages 66 to 69 of the Parish Plan.
- The Jubilee Field is a parish asset to be used by the parish in the best interests of its parishioners as a whole. As everyone pays for the Jubilee Field we believe everyone should have a say in its future not just those who own property adjoining or overlooking it.
- We do not believe that any assessment has been undertaken by SNC to identify specific need and quantitative deficits or surpluses of open space, sport and recreational facilities in the local area. Boddington Parish Council has made such an assessment and is delivering to a plan that meets those objectives and ensures that Boddington does not degenerate into an isolated community of elderly residents.
- SNC should work with the Parish council to meet the needs of those we represent rather than simply responding to an orchestrated campaign.
- As a result of the survey which formed the basis of the Parish Plan, the Parish Council are in advanced stages of providing a small play area for under 7's in Lower Boddington. As well as replacing the old and dilapidated play equipment on the CCPF(Charles Cowper playing field) next to the village hall in Upper Boddington. Both projects will be subsidised by grants. The plan is to further develop the CCPF when funds are available, providing a MUGA(Multi Use Games Area) and rotating and levelling the existing football/rugby pitch.
- The Jubilee Field does not provide anything in a recreational sense that is not available elsewhere in the parish. We are surrounded by beautiful countryside, many public footpaths for walkers with or without their dogs, as well as traditional playpark areas.

In conclusion, Boddington Parish Council objects in the strongest possible terms to the designation of the Jubilee Field as a Local Green Space. It is also serving notice that it is prepared to take this matter to the highest possible level if necessary.

Yours Sincerely

Dr Dennis Burton
Chairman of Boddington Parish Council