

Edith Weston Neighbourhood Plan

Round 1 Local Green Space Consultation

(9th September to 1st October 2021)



A. Consultation Responses

Consultee & Date Received	Comments and Suggested Amendments	Comments	Actions
Response via phone call	Area now divided and sold to several of the surrounding houses, now due to be fenced and incorporated into small private gardens.	The detailed response is noted.	Area to be deleted as land no longer accessible and/or visible to the public
Drop-in session Village Hall Saturday 18 th September 2021	Strong objection to the selection of private land. Parish Council action tantamount to land grabbing.	The detailed response is noted. In reference to the specific points raised. LGS does not grant public access to land in private ownership. Nor is land in private ownership precluded from being designated as LGS.	Check the proposed LGS descriptions to ensure they are demonstrably special and meet the criteria of LGS.
Drop-in session Village Hall Saturday 18 th September 2021	Some descriptions are incorrect	The detailed response is noted.	Check and amend descriptions where needed
Drop-in session Village Hall Thursday 23 rd September	Areas that should be included and/or missed	The detailed response is noted.	Additional LGS assessments created
MOD Letter received 30 th September 2021	<p>It is noted that there are a total of fourteen potential LGS that affect MOD land; one of these is located at St. George's Barracks and the remainder affect land within the nearby Service Families Accommodation (SFA) and subject to the Annington Property Limited (APL) Head Lease. The total list of sites that these comments relate to is as follows:</p> <p>Derwent Ave Village Green; Derwent Ave Green Space Play Area 1;</p>	<p>The detailed response is noted. In reference to the specific points raised. LGS does not grant public access to land in private ownership. Nor is land in private ownership precluded from being designated as LGS.</p> <p>The LGS identified are demonstrably special as demonstrated to the communities within close proximity for the reasons set out in the proposed designation.</p>	Check the proposed LGS descriptions to ensure they are demonstrably special and meet the criteria of LGS. Update descriptions/ evidence base where appropriate. Where proposed LGS are removed, consider

	<p>Derwent Ave Green Space 2; Weston Road Public Green Space; Ullswater/Windermere Road Play area; Crummock Ave Play area; Verge and trees Windermere Road/Manton Road; Severn Crescent (Grassed Area); Severn Crescent/Welland Road; Severn Crescent/Welland Road junction; Woodland Pennine Drive/Chiltern Drive; Mendip Play Area; Pennine Play Area; and Memorial Stones, Manton Road/Normanton Road.</p> <p>As you will be aware paragraph 102 of the National Planning Policy Framework 2021 (NPPF) sets out the criteria for the designation of Local Green Space as follows:</p> <p><i>“102. The Local Green Space designation should only be used where the green space is:</i></p> <p><i>a) in reasonably close proximity to the community it serves;</i></p> <p><i>b) demonstrably special to a local community and holds a particular local significance, for example because of its</i></p>	<p>The application of a LGS designation does not conflict with other paragraphs of the NPPF such as paragraph 97.</p> <p>Woodland Pennine Drive: Comments noted, as previously raised land in private ownership can be designated LGS providing it meets the criteria set in the NPPF. Access via un-adopted roads is not a rationale for removing a LGS. Suggest updating description with additional evidence.</p> <p>Severn Crescent: Comments noted, any proposed LGS does not allow access to private land or enable trespass. Access via un-adopted roads is not a rationale for removing a LGS. The designation would not enable any change to the existing access or use.</p> <p>Verge and Trees: Comments noted, any proposed LGS does not allow access to private land. Access via un-adopted roads is not a rationale for removing a LGS.</p> <p>Memorial Stones: LGS can not be applied to crown land. If this is MOD land the proposed LGS must be removed.</p>	<p>other policy development to maintain the character of green spaces within the neighbourhood area. This could include character areas, design code etc..</p> <p>Take the useful/ relevant additional comments from the site specific section and add to the descriptions and supporting evidence.</p> <p>With regard to Memorial Stones check if it is currently MOD land. If it is, this must be removed as a proposed LGS at this stage. it may be more suitable to include in a design brief for any proposed redevelopment of</p>
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	<p><i>beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i></p> <p><i>c) local in character and is not an extensive tract of land'.</i></p> <p>The MOD acknowledges the value of local green space to communities, however the list of sites referred to above is not considered to meet the criteria of national planning policy set out in the NPPF for the following reasons.</p> <p>All but one of the potential LGS listed above relate to Service Families Accommodation (SFA) land which is private to, and exclusively for the use of Services Families, and not the public. It does not therefore provide a general community facility and is unlikely to meet local green space access criteria.</p> <p>SFA land exists to fulfil MOD current and future requirements, it does not have a specific role to fulfil the green space requirements of local communities. A number of the above sites are play areas and the MOD is at liberty to remove and relocate play equipment to fulfil the MOD's service personnel families requirements. The identification of these areas of land as LGS could</p>		<p>the existing barracks to ensure it is retained.</p>
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	<p>give a false impression to the general public of a right to access space which does not exist.</p> <p>Furthermore, designation as Local Green Space would be directly at odds with existing National Policy within Para 97 of the NPPF (2021) which states; “97. <i>Planning policies and decisions should promote public safety and take into account wider security and defence requirements by...: b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.</i>”</p> <p>Site Specific Comments</p> <p>Woodland Pennine Drive/Chiltern Drive, Mendip Play Area, Pennine Play Area - SFA Estate, Chiltern Drive & Mendip Road Estate - Part of the Woodland area falls on the SFA estate. The play parks are for use by military families. The play sessions use for children from non-military families is organised by a Military Welfare Services Youth Club organisation. Chiltern and Mendip Drive are unadopted roads therefore no public access rights exist.</p> <p>It is requested that the land be removed from the potential LGS category.</p>		
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	<p>Severn Crescent (Grassed Area), Severn Crescent/Welland Road, Severn Crescent/Welland Road junction - SFA Estate, Severn Crescent Estate - The SFA estate has no access road to the west and the access to the east is not adopted. To minimise trespass and vandalism risk to the adjacent operational areas of St Georges Barracks, the MOD cannot accept local communities congregating at this area.</p> <p>It is requested that the land be removed from the potential LGS category.</p> <p>Verge and Trees (Windermere Road/Manton Road), Crummock Ave Play Area, Derwent Avenue Play Area, Ullswater Play Area, Derwent/Crummock Play Area, Weston Road Green Space, Derwent Ave Village Green - SFA Estate, Derwent Avenue Estate plus private housing occupiers as part surrendered to APL - Windermere, Ullswater, Crummock and Derwent are adopted but only the carriageway as per the 'List of Streets' (Rutland County Council); there is no general public pedestrian access. It is requested that the land be removed from the potential LGS category.</p>		
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	<p>Memorial Stones - Main Barracks - The West section is located on St Georges Barracks land, the MOD requests that the LGS on this area is not considered until the military have vacated St Georges Barracks to prevent the risk of public use interfering with the MOD's security and safeguarding protocols.</p> <p>It is requested that the land be removed from the potential LGS category.</p> <p>Summary</p> <p>Given that a Local Green Space designation is a highly restrictive policy which is not appropriate for most green areas or open space, it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements. The MOD considers that the potential Local Green Space designations in this audit do not meet the basic conditions within para 102 of the NPPF (2021) and should not therefore be included within the Neighbourhood Plan. To do so could also cause issues of encouraging a right of public access across MOD land that does not exist.</p>		
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