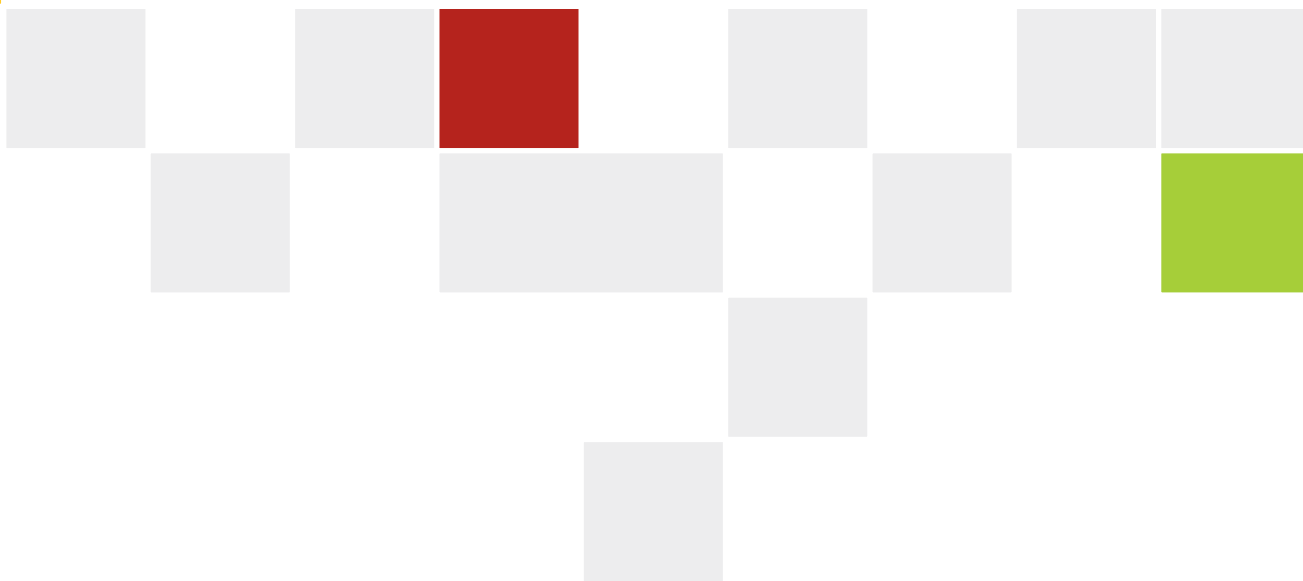


Hearing Statement: Matter 8

Babergh and Mid Suffolk Joint Local Plan Examination



Boyer

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1. INTRODUCTION

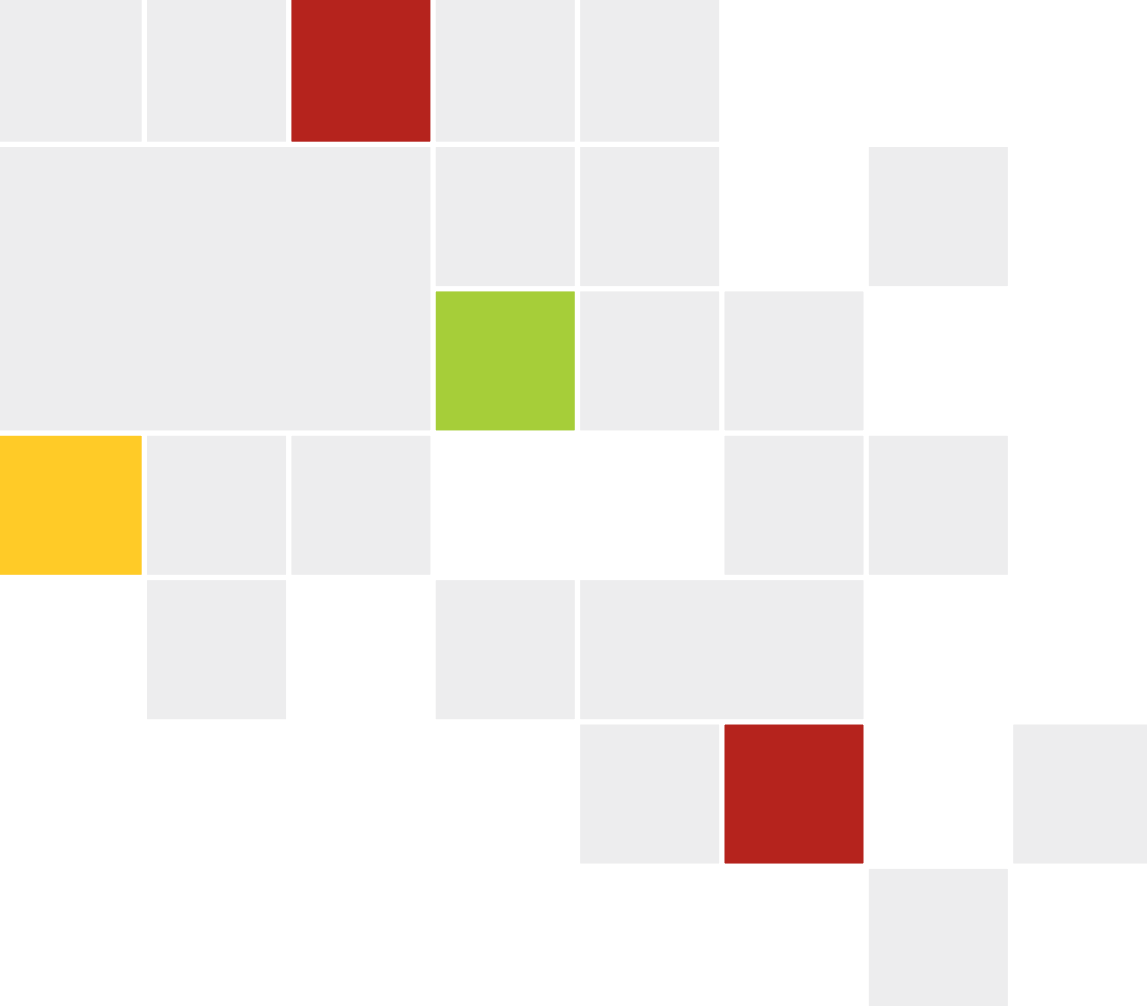
- 1.1 This Hearing Statement has been prepared by Boyer and is submitted on behalf of Vistry Group, trading as Vistry Homes Limited, in relation to their interest in Land north of Butcher's Lane, Boxford ('the Site').
- 1.2 Vistry Group was formed in January 2020 and brought together the former house builders known as Bovis Homes, Linden Homes and Galliford Try Partnerships.
- 1.3 Representations were previously submitted by Vistry Group to the Regulation 19 promoting the Sites for development.
- 1.4 This Hearing Statement relates to Matter 4: Settlement Hierarchy, spatial distribution of housing and housing site selection process. The Statement should be read in conjunction with the previous Regulation 19 representations, and Hearing Statements also submitted in relation to Matters 3 and 8.
- 1.1 Vistry Group welcome participation in the preparation of the Babergh and Mid Suffolk District Councils (BMSDC) Joint Local Plan (JLP).

2. MATTER 8: HEALTHY COMMUNITIES AND INFRASTRUCTURE POLICIES

8.2 a) Are the requirements of policy LP30 clear, justified and would they be effective?

- 2.1 Land north of Butcher's Lane, Boxford is identified as 'designated open space' within the JLP. For the reasons set out below, the reason for the proposed designation is not clear nor justified and therefore the policy cannot be considered effective.
- 2.2 The land north of Butcher's Lane is entirely in private ownership and in agricultural use. Local residents and dog walkers are noted to have used the land as a cut-through route between the existing residential development to the south of Butcher's Lane and the playing fields and allotments to the north. This has resulted in some distinguishable paths being trodden through the site, and despite some signposting stating that the land is private, it may have been misconceived as publically accessible. In an attempt to prevent further trespassing onto the land, further fencing and signs stating 'Private Land No Public Right of Way' have recently been erected.
- 2.3 Paragraph 16.03 of the supporting text to Policy LP30 defines open spaces to include allotments, amenity green space, sports and recreational facilities and accessible natural green space as follows:
- *"Allotments which are valuable community spaces which offer people opportunities for food production.*
 - *Amenity green space is defined as spaces which are open to free and spontaneous use to the public (emphasis added) but are not formally managed for a specific function such as a park or a playing field; not managed as a natural or semi-natural habitat.*
 - *Sports and recreational facilities include (but are not limited to) parks and gardens, outdoor sports facilities, play spaces and formalised sports clubs' space (such as playing pitches and golf courses).*
 - *Accessible natural green space covers a variety of partly or wholly accessible spaces including meadows, woodland and copses all of which share a trait of having natural characteristics and wildlife value, but which are also open to public use and enjoyment (emphasis added)."*

- 2.4 It is notable from the above that the land north of Butcher's Lane does not fall within any of the four definitions of designated open space, most notably because the land is within private ownership, in agricultural use and is not open to the public. An appropriate strategy has not been taken to designating the site as open space and there are errors in the methodology which mean the approach is not justified and is unsound. As a starting point, land must meet the criterion of one of the four definitions of open space in order to be designated as such. It is impossible for the requirements of Policy LP30 to be considered clear, justified and effective when sites such as land north of Butcher's Lane, fail to meet the criteria for an open space designation in the first instance.
- 2.5 In light of the above, it is considered likely that the land north of Butcher's Lane has been proposed as 'designated open space' in error, due to its proximity to the playing fields, allotments and recreation ground to the north. The landowner and our client, Vistry Group, objects strongly to the proposed designation. The land will remain in private ownership until such a time as it is brought forward for development and areas of publicly accessible open space and routes through the site are included in the development proposals.
- 2.6 The effectiveness of Policy LP30 can only be considered if the process of and methodology for selecting land as designated open space is correct and justified.
- 2.7 In light of the above, the land north of Butcher's Lane, Boxford, should not be included as an open space designation within the JLP.



Boyer

15 De Grey Square, De Grey Road, Colchester, CO4 5YQ | 01206 769 018
colchester@boyerplanning.co.uk | boyerplanning.co.uk