

## DOWN AMPNEY NEIGHBOURHOOD PLAN

### APPENDIX 4 – LOCAL GREEN SPACE





## Down Ampney Neighbourhood Plan – Appendix 4

### 1 Introduction

The National Planning Policy Framework (NPPF)<sup>1</sup> provides the following information on Local Green Space designations:

*101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should 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 updated, and be capable of enduring beyond the end of the plan period.*

*102. 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 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*
- c) local in character and is not an extensive tract of land.*

*103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*

This Appendix sets out in detail the reasons and justifications for including the area noted in the main document section 3.6.1.

Extensive use has been made of the Cotswold District Council Toolkit<sup>2</sup>.

### 2 Proposed Area

The area proposed as Local Green Space is a field in the centre of the Village bordering the main road opposite the Village School ("The Field") which to differentiate it from Duke's Field, the houses, is now called Duke's Meadow. A map of the area is given on the following page.

The proposed area is evaluated against the three criteria given in the NPPF. The detailed checklist is included at the end.

### 3 Criteria

#### 3.1 Reasonably Close to the Community

The Field is in the centre of the village, opposite the Village School and entrance to the "hub" – the Village Hall, the Village Shop, the Tennis Courts, the Multi Use Games Area, and the Community Gardens.

#### 3.2 Demonstrably Special to a Local Community

As far back as 1995 in the document "Design in Down Ampney" houses were mooted to be in part of the field that had the old egg-packing station and CWS workshops. In the

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<sup>1</sup> National Planning Policy Framework, July 2021, Ministry of Housing, Communities and Local Government

<sup>2</sup> Local Green Space Designation,, A Toolkit for Communities in Cotswold District

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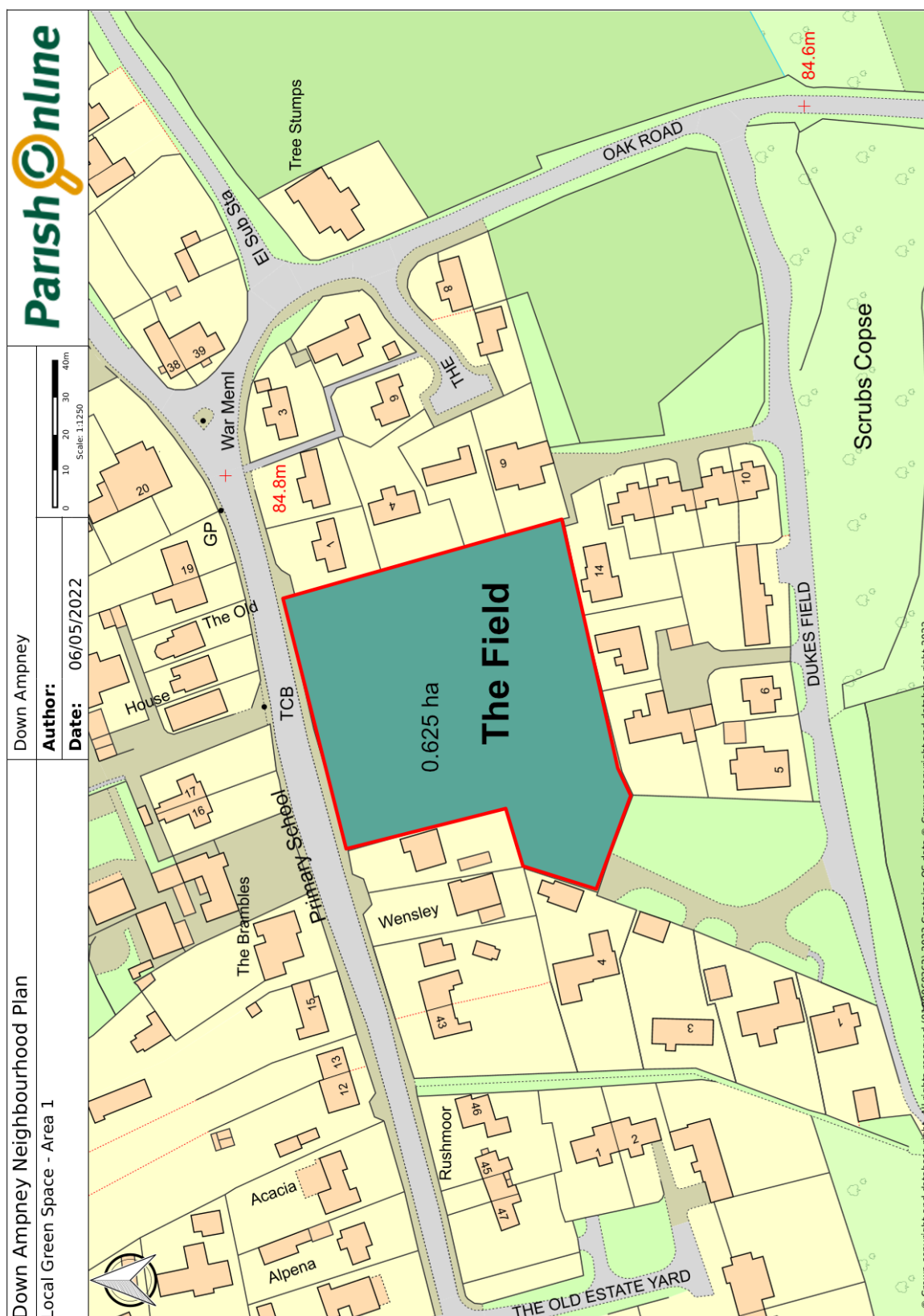


Figure 1 - Location of The Field



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document seven houses were suggested with the remainder of the field described as “meadow”. In fact 14 houses were built, but the part of the field fronting the main road was always shown as a field (now called Duke’s Meadow). The name of the estate was set as Duke’s Field after the horse that used to graze in the field.



Figure 2 – Duke in The Field

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In 2003 CG Property (part of the Co-operative Group) produced a pamphlet entitled "A Future for Down Ampney" to encourage comment and discussion.

In this document The Field was described as "Potential New Village Green" and one of the issues was "Village Green". Much else described in the pamphlet has occurred or is in progress, for example The Old Estate Yard, "Broadway Farm", the extension to Duke's Field, and Rooktree Farm development.

The perception of residents has therefore been that The Field was to remain as green space. This was reinforced by a note from the Case Officer of CDC for the development of Duke's Field in about 2000 (See figure 2).

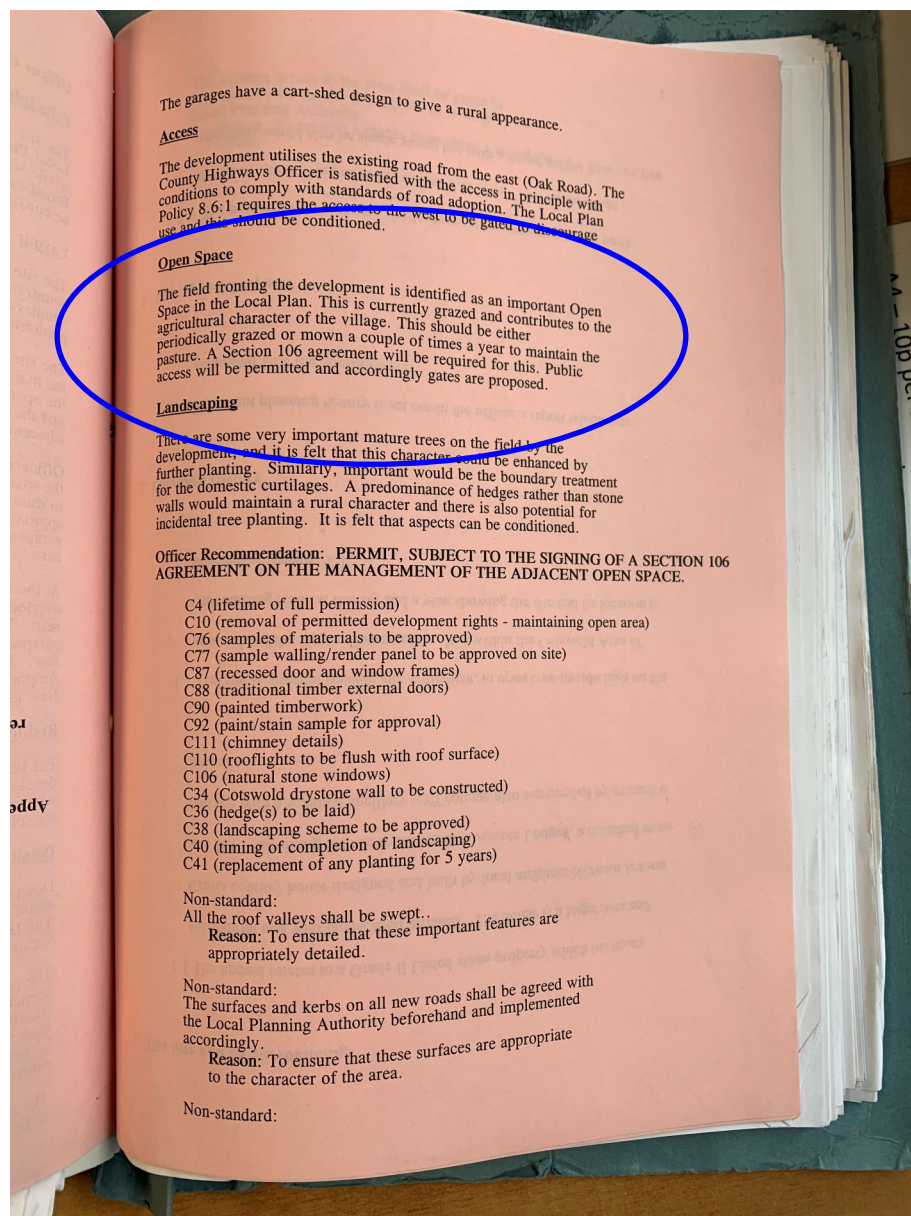


Figure 3 – Case Officer Notes on the Development of Duke's Field



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Although there is no physical access to The Field, despite what was implied during the planning application for the original Duke's Field development, recreation does not stop at physical access: there is recreational benefit in seeing a field and livestock in the centre of the village. This is particularly true for the pupils in the Village School who overlook The Field from their playground.

As part of the Neighbourhood Plan production a questionnaire was produced to gauge residents' views. One question entitled "Our Natural Environment" sort views on the green an open areas in and around the village.

Seventy-eight percent of respondents wanted all spaces to be protected while about 44% wanted some spaces to be protected. The comment section was filled in on 90 questionnaires of which 31 specifically mentioned The Field.

In November 2021 the Co-operative Group (CWS) submitted a planning application for The Field. This caused outrage in the village as can be noted from the number of objections, the coverage in the local press, and the photograph below.



Figure 4 – Village Protest against Development in The Field

The application was turned down by CDC, appealed by CWS, but dismissed by the Inspector appointed by the Secretary of State on 3<sup>rd</sup> October 2022 (APP/F1610/W/22/3292635).

In reaching her decision the Inspector set out that:

*"4. The appeal site is an area of undeveloped land located in the centre of Down Ampney, during my site visit it was being used for the keeping of sheep. The area is predominantly residential characterised by detached and semi-detached dwellings set back from the road behind low stone walls. This set back combined with green landscaping and scattered open spaces gives the area a spacious and verdant feel. The open spaces provide a relief from built development and contribute positively*

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*to the rural character of the village. The appeal site adjoins an area of open land at Duke's Field which affords views into the open countryside from within Down Ampney. The undeveloped land and views into the countryside contributes positively to the rural character and setting of Down Ampney.*

*5. The proposed development would result in the loss of the undeveloped and open character of the site, which contributes positively to the rural character of Down Ampney. The introduction of housing within the appeal site would reduce and partially enclose the glimpsed views of the landscape beyond which is currently possible across the site and through the access to dwellings at Duke's Field when walking and driving along Charlham Way. This would diminish and erode the function that the site performs as a gap between existing built development and the visual and spatial connection with the landscape beyond.*

*6. Whilst I accept that the development of the site could still enable a gap to be maintained, I consider that the development would erode the importance of this undeveloped land which contributes positively to the open nature and rural character of the area. This would lead to a built form and suburbanisation that would be at odds with the open quality of the area.*

*7. The introduction of development in this location would result in harm to the character and appearance of the area. This is a matter to which I attach significant weight.*

*8. I have had regard to the appellants comments that the land is private, and they do not consider that it an important space. However, I have found that the appeal site contributes positively to the character and appearance of the area and its loss would be harmful."*

A full copy of the decision is included in the Appendix 4 supporting documentation.

Messages of support for designating The Field as Local Green Space has come from The Chairman of Governors of the Village School, the District Councillor for the local ward, and the Chairman of the Parish Council. Their letters are reproduced on the following pages.

### **3.3 Local in Character and is not an Extensive Tract**

Down Ampney is a rural village surrounded by farmland. The one area within the village which reflects the roots of the village is The Field and it is remarkable in that it is the only green space left within the village and is situated in the very centre of the village.

The Field is about 0.625 hectares in area and is thus not extensive. It is a small area vital to the local character.

## **4 Conclusion**

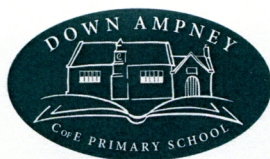
The designation of The Field as Local Green Space meets the criteria of the NPPF and has universal support from residents of Down Ampney.

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### **SUPPORTING DOCUMENTATION**



## Down Ampney Neighbourhood Plan - Appendix 4



Chairman Steering Group

Down Ampney Neighbourhood Development Plan

Dear Chairman,

### Local Green Space

The field in the centre of the village opposite the Village School is an important reminder to pupils of the origins of Down Ampney as a rural village depending upon agricultural for its existence. The sight of sheep grazing in the field visible from the school gates and playground is important to the well-being of the children of the village.

The strong sentiment of parents and pupils alike is that the field should remain as a field.

As Chair of the School Governors, I and my fellow governors, staff, and pupils, totally support the wishes of residents of Down Ampney to have this field designated as Local Green Space.

Penny Morse  
Chair of Governors  
Down Ampney CoE Primary School

*Penny Morse*

Down Ampney C of E Primary School  
Down Ampney, Cirencester, Gloucestershire, GL7 5QR  
Telephone: 01793 750294





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**COTSWOLD**  
DISTRICT COUNCIL

Chairman  
Steering Group  
Down Ampney Neighbourhood Development Plan

18<sup>th</sup> May 2022

Dear Mr Scarth,

**Local Green Space**

As the District Councillor for the Ampneys and Hampton ward, which includes Down Ampney, I am very aware of the strength of feeling within the village of the importance of the field in the centre of the village opposite the Village School.

Although there is no physical access to the field, it has served as a visual Village Green for many years. Because the roots of the village are rural, residents particularly like to see animals grazing at its centre. Any material change to or development of this small field would completely alter the character of the centre of the village, and by default, the entire village. Loss of this important break in the linear development through the village would result in the loss of a defining characteristic of this rural village with its strong agricultural history and render it analogous to a suburban settlement.

I fully support the aspirations of residents of Down Ampney in designating this field as Local Green Space.

Cllr Lisa Spivey

Member for The Ampneys and Hampton Ward  
Cotswold District Council

Trinity Road, Cirencester, Gloucestershire, GL7 1PX Tel: 01285 623000 Fax: 01285 623900 [www.cotswold.gov.uk](http://www.cotswold.gov.uk)



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### **From Down Ampney Parish Council**

To the Chairman  
Steering Group  
Down Ampney Neighbourhood Development Plan

1 June 2022

Dear Chairman,

#### **Local Green Space**

There is an enormously strong feeling in Down Ampney that the field in the centre of the village, opposite the Village School, should remain as a field. It has been a focal point that reinforces the agricultural roots with animals grazing in it. Not only this, but it creates a break in the linear makeup of the village so identifying it as a rural village and not just a conglomeration of houses.

It is looked upon as a virtual village green by all. Indeed, the landowner in a past pamphlet on the development of the village noted it as such.

The strength of feeling can be gauged by the various consultations during the emerging neighbourhood plan and, in particular, the outrage caused when the landowner applied for planning permission to build on it.

As Chairman of the Parish Councillor, I fully support the desire of residents of Down Ampney to have this field designated as Local Green Space.




Cllr Ray Jenkins  
Chairman, Down Ampney Parish Council



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### Village Issues

- Vacant housing/gardens etc.
- Village play area extension
- Village Green
- Circular walks/footpaths
- Permanent site/building for the village shop
- Heavy vehicles in the village
- Traffic calming
- Loss of livestock in paddocks surrounding the village
- Starter homes/down sizing for the elderly
- Local employment
- Broadway Farm (Redundant Farm Buildings)
- Rooktree Farm (Redundant Farm Buildings)
- Old Estate Yard (Redundant Farm Buildings)
- Mineral extraction



### Have Your Say

A comprehensive package of interlinked proposals would enhance the level of services and facilities in Down Ampney. The viability of the village as a place to live and work could also be improved through the provision of some workspace alongside new homes to meet local needs.

CG wishes to continue to define its proposals for Down Ampney in consultation with village residents. We would therefore welcome your comments on the proposals set out in this consultation document.


To comment please return the comments form to:

Debbie Chesworth-Fowles  
Clerk to Down Ampney Parish Council  
Westhouse  
Laines Farm  
Down Ampney  
GL7 5QR




[www.downampneyvillagehall.co.uk](http://www.downampneyvillagehall.co.uk)

### A Future for Down Ampney







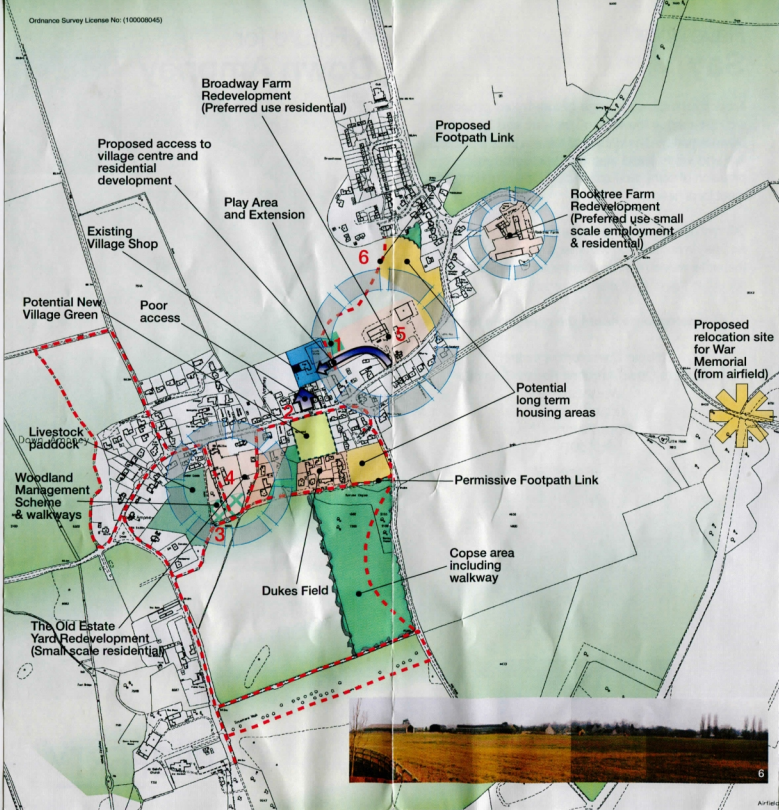


Village Plan

April 2003












### Down Ampney Village Plan

In 1991 a Village Appraisal was undertaken by Down Ampney Parish Council in consultation with its residents. At the time, the Village Appraisal was among the first to be produced in the country.

The 1991 Village Appraisal and subsequent Village Design Statement has been influential in determining where development should take place in Down Ampney. Cotswold District Council is now in the process of reviewing the District Local Plan. It is therefore an appropriate time for the residents of Down Ampney to consider again how the village might evolve over the next 5, 10 or even 20 years.

In 2002 CG commissioned consultants to undertake discussions with the Parish Council and residents to identify the key issues to be addressed in a new Village Plan. At a public meeting in November 2002 there was unanimous support for the principle of producing a new Village Plan. This plan is the first step towards reaching an agreed Village Plan and delivering new facilities through community supported development.

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### CHECKLIST AND CRITERIA FOR LOCAL GREEN SPACE DESIGNATION

1	<b>General Information</b>	Tick if relevant information
1.1	Name and address of site	
	<i>Field on Down Ampney Main Road opposite the School. Sometimes known as Duke's Field or Millennium Field but now designated Duke's Meadow)</i>	✓
1.2	Site Location Plan	
	<i>See Figure 1</i>	✓
1.3	Organisation proposing site for designation	
	<i>Down Ampney Parish Council in emerging Neighbourhood Development Plan</i>	✓
1.4	Ownership of site	
	<i>The Co-operative Wholesale Society</i>	✓
1.5	Is the owner of the site aware of the potential designation? Do they support the designation? (Sites may be designated as Local Green Spaces, even if there are objections from the site owners)	
	<i>The owner is aware of the potential designation and is opposed to it.</i>	✓
1.6	Photographs of site	
	<i>See Figures 5 and 6</i>	✓
1.7	Community served by the potential Local Green Space	
	<i>Residents of the Parish of Down Ampney</i>	✓
2	<b>Planning History</b>	
2.1	Is there currently a planning application for this site?	
	<i>APP/F1610/W/22/3292635 dismissed on appeal.</i>	✓
2.2	Is the site allocated for development in the Local or Neighbourhood Plan?	
	<i>No</i>	



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3	<b>Size, scale and “local nature” of proposed Local Green Space</b>	
3.1	Area of proposed site	
	<i>0.625 hectares</i>	✓
3.2	Is the site an “extensive tract of land”?	
	<i>No</i>	✓
3.3	Is the proposed site “local in character”?	
	<p><i>Down Ampney is rural village with its roots in farming and agriculture. For many years the field in the centre of the village has been valued by residents as a connection to those roots. Seeing grazing animals in the heart of the village has been enjoyed by young and old alike. It is adjacent to the school and can be easily seen by children in the playground.</i></p> <p><i>In 2003 the Co-op noted the field as a “Potential Village Green”. Residents have considered it as such.</i></p>	✓
4	<b>Need for Local Green Space</b>	
4.1	Is there a need for local green space in this location?	
	<p><i>Yes. As is noted above. The field is the last remaining green space in the village and any development on it would dramatically change the nature of the centre of the village.</i></p> <p><i>As part of the consultation for the Neighbourhood Plan a questionnaire was produced in 2019. Several of the questions dealt with green areas. The results showed that this field was highly valued.</i></p> <p><i>The regulation 14 consultation reinforced this view of this field. More information and the analysis of the consultations are given later in section 3.2..</i></p>	✓
5	<b>Evidence to show that “the green space is in reasonably close proximity to the community it serves”</b>	
5.1	How far is the site from the community it serves?	
	<i>The site is in the middle of the village.</i>	✓
5.2	Are there any barriers to the local community accessing the site from their homes?	
	<i>Possible gated access. At present physical access by the public is not permitted. The visual amenity of the site is enjoyed by all. The field is rented by a nearby resident and sheep are regularly grazing in the field.</i>	✓

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6	<b>Evidence to show that the green area is “demonstrably special to a local community</b>	
6.1	Evidence of support from Parish or Town Council	
	<i>See letter from the Chairman of the Parish Council in the Evidence section.</i>	✓
6.2	Evidence of support from other local community groups or individuals	
	<i>See the analysis of the village questionnaire and regulation 14 consultation (Evidence section). See also the objections to the planning application for the field on the CDC website. Note figure 2.</i>	✓
6.3	Evidence of support from community leaders	
	<i>See letter from the Ward Councillor in the Evidence section.</i>	✓
6.4	Evidence of support from other groups	
	<i>See letter from the chairman of governors of Down Ampney Village School in the Evidence section.</i>	✓
7	<b>Evidence to show that the green area “holds a particular local significance”</b>	
7.1	<b>Is this criteria relevant to this site?</b>	
	<i>Partly</i>	✓
7.2	Describe why the community feels that the site has a particular local significance.	
	<i>It is the ONLY green space left in centre of the village. A horse named "Duke" used to graze in the field. It is considered to embody the very nature of the village and is very popular with school children from school opposite site.</i>	✓
7.3	Site visibility  <i>e.g. is it easy to see the site from a public place? Are there long-distance views of the site? Are there views of the site from any key locations?</i>	
	<i>The site is in the centre of the village visible from the main road.</i>	✓
7.4	Is the site covered by any landscape or similar designations?  <i>e.g. Area of Outstanding Natural Beauty; Conservation Area; Special Landscape Area Further information – Cotswold District Council; Natural England;</i>	
	<i>No</i>	

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7.5	Is the site (or the type of site) specifically mentioned in any relevant landscape character assessments or similar documents?	
	<i>No</i>	
7.6	Does the site contribute to the setting of a historic building or other special feature?	
	<i>No</i>	
7.7	Is the site highlighted in literature or art?	
	<i>Yes - In "Down Ampney A Village Story" by Pamela Varey</i>	✓
8	<b>Evidence to show that the green area "holds a particular local significance for example because of its historic significance" (if applicable)</b>	
8.1	<b>Is this criteria relevant to this site?</b>	
	<i>Partly</i>	✓
8.2	Are there any historic buildings or remains on the site?	
	<i>No</i>	
8.3	Are there any important historic landscape features on the site?	
	<i>There are a number of trees with preservation orders within the site</i>	✓
8.4	Did the site play an important role in the historic development of the village or town?	
	<i>No except for the link to the horse named Duke. Hence field called Duke's Field.</i>	✓
8.5	Did any important historic events take place on the site?	
	<i>No</i>	
8.6	Do any historic rituals take place on the site?	
	<i>No</i>	

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9	<b>Evidence to show that the green area “holds a particular local significance, for example because of its recreational value (including as a playing field)”, (if applicable) Please indicate what evidence you have provided against each</b>	
9.1	<b>Is this criteria relevant to this site ?</b>	
	<i>Partly</i>	✓
9.2	<b>Is the site used for playing sport?</b>	
	<i>No</i>	
9.3	<b>Are the public able to physically access the site?</b>	
	<i>In the application for the existing Duke's Field development the "Case Officer" stated, "The field fronting the development is identified as an important Open Space in the Local Plan. (It was in a CDC earlier version). This is currently grazed and contributes to the agricultural character of the village. This should be either periodically grazed or mown a couple of times a year to maintain pasture. A section 106 agreement will be required for this. Public access will be permitted and accordingly gates are proposed".</i>  <i>Although the prospectus for the sale of houses in Duke's Field indicated this access, it was not implemented.</i>	✓
9.4	<b>Is the site used by the local community for informal recreation? And since when?</b>	
	<i>No</i>	
10	<b>Evidence to show that the green area “holds a particular local significance, for example because of its tranquillity” (if applicable)</b>	
10.1	<b>Is this criteria relevant to this site?</b>	
	<i>The site itself is tranquil</i>	✓
10.2	<b>Do you consider the site to be tranquil?</b>	
	<i>The site itself gives a tranquil environment. The road through the village passes on one side.</i>	
10.3	<b>Is the site within a recognised tranquil area?</b>	
	<i>Apart from traffic, yes.</i>	✓

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11	Evidence to show that the green area “holds a particular local significance, for example because of the richness of its wildlife”; (if applicable) Please indicate what evidence you have provided against each point.	
11.1	Is this criteria relevant to this site?	
	<i>Generally sheep grazing in fields which gives a calming effect. Pheasants, rabbits, field mice, and deer in the field from time to time.</i>	✓
11.2	Is the site formally designated for its wildlife value?	
	<i>No</i>	
11.3	Are any important habitats or species found on the site?	
	<i>No</i>	
11.4	What other wildlife of interest has been found on the site?	
	<i>See 11.1</i>	
11.5	Is the site part of a long term study of wildlife by members of the local community?	
	<i>No</i>	
12	<b>Evidence to show that the green area “holds a particular local significance, for any other reason”; (if applicable) Please indicate what evidence you have provided against each</b>	
12.1	<b>Is this criteria relevant to this site?</b>	
	<i>See photo of residents against the "Millennium Field" planning application. The Co-op have renamed the field "Millennium Field".</i>	✓
12.2	Are there any other reasons why the site has a particular local significance for the local community?	
	<i>History and memories as stated in the various answers above.  In Pam Varey's book on the history of the village she states:- "In the first year of the new millennium, work was commenced on the building of fourteen new houses on the site of the former egg packing station at the far side of the field opposite the school. At first the developers wanted to call the site 'The Oaks' until local resident Mrs Smart suggested 'Duke's Field'. This brought back memories for many people. Duke was the last working carthorse on the CWS estate and spent his retirement in that field. He was loved by all the children and would let them stroke him and ride on his back. At four o'clock each morning he would stamp his great hooves and wouldn't stop until someone came out of the bakery with some buns or similar treat. When they were enjoying afternoon tea at Broadway Farmhouse he would go over and lick the windows! He was a real character and enjoyed many years of well deserved retirement."</i>	✓





The Planning Inspectorate

### Appeal Decision

Site visit made on 4 July 2022

**by Tamsin Law BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 October 2022

**Appeal Ref: APP/F1610/W/22/3292635**

**Land South of Charlham Way, Down Ampney, GL7 5RB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission
- The appeal is made by The Co-operative Group against Cotswold District Council.
- The application Ref 21/04185/OUT, is dated 2 November 2021.
- The development proposed is described as “outline application for up to 8 no. dwellings including access and associated works with all other matters reserved”.

#### Decision

1. The appeal is dismissed and planning permissions for an outline application for up to 8 no. dwellings including access and associated works with all other matters reserved is refused.

#### Preliminary Matters

2. The appeal follows the Council’s failure to determine the application within the prescribed period. However, the Council has indicated in its grounds of appeal, that had it been in a position to determine the application, it would have refused planning permission.

#### Main Issues

3. I consider the main issues to be;
  - The effect of the proposed development on the character and appearance of the area; and
  - The effect of the proposed development on the North Meadow and Clattinger Farm Special Area of Conservation (SAC).

#### Reasons

##### *Character and Appearance*

4. The appeal site is an area of undeveloped land located in the centre of Down Ampney, during my site visit it was being used for the keeping of sheep. The area is predominantly residential characterised by detached and semi-detached dwellings set back from the road behind low stone walls. This set back combined with green landscaping and scattered open spaces gives the area a spacious and verdant feel. The open spaces provide a relief from built development and contribute positively to the rural character of the village. The appeal site adjoins an area of open land at Duke’s Field which affords views into the open countryside from within Down Ampney. The undeveloped land

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and views into the countryside contributes positively to the rural character and setting of Down Ampney.

5. The proposed development would result in the loss of the undeveloped and open character of the site, which contributes positively to the rural character of Down Ampney. The introduction of housing within the appeal site would reduce and partially enclose the glimpsed views of the landscape beyond which is currently possible across the site and through the access to dwellings at Duke's Field when walking and driving along Charlham Way. This would diminish and erode the function that the site performs as a gap between existing built development and the visual and spatial connection with the landscape beyond.
6. Whilst I accept that the development of the site could still enable a gap to be maintained, I consider that the development would erode the importance of this undeveloped land which contributes positively to the open nature and rural character of the area. This would lead to a built form and suburbanisation that would be at odds with the open quality of the area.
7. The introduction of development in this location would result in harm to the character and appearance of the area. This is a matter to which I attach significant weight.
8. I have had regard to the appellants comments that the land is private, and they do not consider that it an important space. However, I have found that the appeal site contributes positively to the character and appearance of the area and its loss would be harmful.
9. As such, the proposed development would conflict with Policies EN2 and INF7 of the Cotswold District Local Plan 2011-2031 (2018) (LP) which seek, amongst other things, to ensure that development respects the character and distinctive appearance of the locality and protects and enhances existing green infrastructure. The proposal also conflicts with paragraph 130 of the National Planning Policy Framework (the Framework) which seeks good design sympathetic to local character and development that responds positively to the surrounding context.

### *Effect on the SAC*

10. The North meadow and Clattinger Farm SAC is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). Whilst the appeal site is not within the SAC, it is located within its 8km Zone of Influence. Given its proximity both the Council and Natural England consider that the proposed development would be likely to have significant effects on the features of interest of the SAC, due to increased recreational use arising in combination with other development. Natural England provided a full response on the application and the Council have produced an Appropriate Assessment (AA).
11. The appellant does not agree that the proposed development would likely have significant effects on the SAC and have produced a shadow AA. The shadow AA concludes that due to the distance between the proposed development and the SAC, that future residents would be unlikely to travel there for recreational purposes. They also assert that the proposed development and its impact should be considered in isolation to other developments.

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12. It is noted that this SAC was designated due to its rich diversity of meadow plants, which includes 95% of the UK's surviving population of Snake's Head Fritillary. The evidence indicates that the primary causes of site degradation include walking, and in particular dog walking, with these uses causing the trampling of hay, high levels of dog excrement in the hay and dog toys damaging hay cutting machinery.
13. In this case, the proposed development is located within the 8km Zone of Influence of the SAC. Whilst there may be limited opportunity to park near to the SAC this would not in itself dissuade future residents from using the SAC site recreationally, thus increasing the numbers of visitors to the site. As such, I am satisfied that the proposed development would be likely to lead to recreational pressure on the SAC, and in particular the North Meadows section. I consider that the effects of the proposed development, in such that it is likely to have significant effects on the meadow, particularly from walking.
14. There is no current mitigation strategy for the SAC and whilst I am aware that the Council is in the process of developing such a strategy, this has not been completed. The evidence indicates that there is a likelihood of recreational disturbance to the SAC through additional activity associated with the proposed development, which has the potential to affect the integrity of the SAC. The Habitats Regulations require me to consider whether there are any alternative solutions. However, no mitigation has been put forward by the Council or the appellant. No other solutions have been put to me.
15. As such, in this case I cannot conclude that the proposal would not have an adverse effect on the integrity of the SAC as no appropriate mitigation has been proposed that would mitigate the impacts of increased recreational pressure.
16. Consequently, having regard to the Habitat Regulations, permission must not be granted. The proposed development, in isolation and in conjunction with other similar schemes, would result in harm to the integrity of the SAC, contrary to Policies EN1, EN8 and EN9 of the LP. The proposed development would also be contrary to paragraphs 174, 180, 181 and 182 of the Framework which together seek to ensure that development does not result in the loss or deterioration of irreplaceable habitats.

### Conclusion

17. For the above reasons, there are no relevant material considerations, including the approach of the Framework, that would indicate a decision otherwise in accordance with the development plan. It is for this reason that the appeal should be dismissed.

*Tamsin Law*

INSPECTOR

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