M13. Natural and Built Environment

Protecting open space and local green space

Q13.1. Is policy 28 justified and consistent with national policy and will it be effective in ensuring access to high quality open spaces and opportunities for sport and physical activity? In particular:
   a) The approach to open spaces defined on the Policies Map and open space policy areas in parts A and D.
   b) The approach to non-designated open spaces in part B, and the Council’s suggested changes relating to conservation areas and the setting of designated heritage assets.
   c) The Local Green Spaces defined on the Policies Map and the Council’s suggested change to list them in paragraph 10.17.

Our client owns land located within the centre of Warnsworth. The Site (Site Reference 162 West Farm Fields between High Road and Low Road West, Warmsworth in the HELAA), is located north of Low Road West and south of High Road (the A630). It is irregular in shape and is located in the centre of Warmsworth which is located within the Doncaster Main Urban Area. The site is circa 1.0 hectares in size and is surrounded by existing residential development, a hotel and restaurant. The land is currently used for agriculture and is generally flat in topography with a few old underused agricultural buildings located within the site boundary. The land is under a single private ownership.

As it currently stands, part of the site (0.6 hectares) is located within the Residential Policy Area of the UDP with the remainder of the site identified as ‘open space’ (0.4 hectares).

We strongly oppose the entire site being allocated as a Local Green Space as defined on the Proposals Map (Criteria D of Policy 28). As landowner, our client does not support the proposed Local Green Space allocation on land known as “West Farm Fields between High Road and Low Road West, Warmsworth” (Site 162)".

We do not dispute this current policy position as this is the current adopted policy position, however, we strongly contest that the eastern half of the site should be allocated as a Local Green Space.

Some of the justification for the proposed allocation of the site as a Local Green Space is due to the site being within the Conservation Area and adjacent to Grade II Listed buildings. Whilst works affecting Listed Buildings or structures and Conservation Areas are subject to additional planning controls under the Planning (Listed Buildings and Conservation Areas) Act 1990, it does not create a blanket ban on development in such areas. Sympathetic development within a Conservation Area can often be an enhancement to an area. Again, with Listed Buildings, well-placed and designed development can act as enhancement. It is therefore considered that this is not strong enough justification to preclude development on this land and for allocating it as a Local Green Space.

It is important to note that the land is already located within the Conservation Area and is proposed to remain so in the emerging Local Plan and therefore the significance, character, appearance and setting of the conservation area will be preserved.
The National Planning Practice Guidance (Paragraph: 011 Reference ID: 37-011-20140306) advises that where land is already protected by a designation, such as Green Belt, Conservation Area, etc., consideration should be given as to whether any additional local benefit would be gained by designation as Local Green Space.

Another reason for the proposed allocation is its historic past. Whilst there is a rural past, this is not considered significant enough to preclude development in what is currently identified as a residential policy area. It is considered that development could occur whilst still protecting the limestone walls that bound the fields. Also, with the western parcel being retained as open space, this would still provide a visual break in the Conservation Area whilst enabling the eastern half of the site to be used in an effective and efficient manner. Furthermore, the trees to the north of the site would remain along the highways verge providing a green strip along High Road.

Additionally, this land is in private ownership and is not therefore open to the public. It will not therefore provide access to high quality open spaces and opportunities for sport and physical activity. The site is not subject to any Public Rights of Way and this leads to a further area of concern. The land is in working use subject to a farming licence and is therefore subject to farming practices. The proposed Local Green Space allocation, as part of the Local Plan, could lead to unauthorised access across these private fields which would put the public at risk. Trespass is a Health and Safety risk to the public and unauthorised access, which may increase due to the proposed Local Green Space designation, could be a potential Public Liability issue for both the tenant of the land and our client as the landowner. In making the proposals has the Council considered any sort of Risk Assessment for such allocations? As such, we question the benefit of the amendment to the open space in this area and strongly contest the changes to include the eastern half of the site as a Local Green Space.

We therefore request that the land remains as it is currently identified in the UDP Proposals Map. The land is already afforded a suitable and appropriate level of protection in respect of its historical past by virtue of its setting within the Conservation Area.