

18 February 2020

Melton Borough Council  
Burton Street  
Melton Mowbray  
LE13 1GH

Dear Sir/Madam,

## **Scalford Neighbourhood Plan Submission Draft (Regulation 16) Representation**

This letter accompanies a response form in respect of the Scalford Neighbourhood Plan Consultation (The Neighbourhood Planning (General) Regulation 2012 (Regulation 16). The representation has been prepared by Planit-X on behalf of Mr & Mrs Golding of Nether Hall Farm, 24 South Street, Scalford.

Mr and Mrs Golding's principal concerns relates to the proposed Limits to Development and designation of land in their ownership as Local Green Space.

### **Policy H2: Limits to Development**

Mr and Mrs Golding welcome and support the definition of Limits to Development through the Scalford Neighbourhood Plan. However, although the Plan states that the basis for the new Scalford Village Limits to Development was the Village Envelope (appended) defined by the Melton Local Plan of 1991 to 2006, there have been changes other than those mentioned on page 19 of the Plan. In particular, the boundary to the south of Nether Hall Farm has been drawn tighter than previously defined by the Melton Local Plan.

Although the Neighbourhood Plan states that the new boundary follows defined physical features such as walls, hedgerows, fences and roads, this is not the case to the south of Nether Hall Farm where a more arbitrary boundary has been defined. We understand that sometimes an arbitrary boundary is unavoidable, but where this is the case the Neighbourhood Plan's own logic suggest that it should follow the boundary defined by the former Village Envelope. This has the advantage of being consistent with the Conservation Area boundary too. We therefore request that the Limits to Development boundary to the south of Nether Hall Farm be modified to follow the boundary defined by the Melton Local Plan Village Envelope and Scalford Conservation Area.

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## Policy Env 1: Protection of Local Green Space

### Background

Local Green Space (LGS) designation is a way to provide special protection against development for green areas of particular importance to local communities. LGS need to meet the criteria set out in paragraph 99-100 of the National Planning Policy Framework.

Policy Env 1 of the Draft Neighbourhood Plan concerns the identification of LGS. Five LGS are proposed for designation including 'Scalford village earthworks meadows' which lie to the south of Scalford village. This LGS is identified as fields 112/113 on a very small-scale plan (Figure 5) of no discernable scale.

A separate document, Appendix 6, provides an environmental inventory scoring system while Appendix 8 provides supporting evidence for the proposed designation of each of the five LGS using that scoring system.

### Fields 112/113

These two fields comprise paddocks to the rear of 12-18 South Street, Scalford. Redearth Farm lies to the north. The fields form part of the wider agricultural landscape to the south of Scalford. The northernmost field (112) has a hedge along its western and northern boundary. The boundary to the residential properties on South Street is fenced. The southernmost field (113) has a fence boundary on three sides. The two fields are separated by a public footpath along the southern boundary of the northernmost field (there is no public access to field 113). Both fields are owned by Mr & Mrs Golding and together they measure 0.63ha.

### 'Particular importance to the local community'

LGS must be of particular importance to local communities and the designation is for use in Local Plans or Neighbourhood Plans. There has been a long history of protecting important open areas through the Melton Local Plan. The Melton Local Plan 1999 identified several Protected Open Areas in Scalford (Appended). This was replaced by the Melton Local Plan 2011-2036 which was adopted in October 2018. The Melton Local Plan 2011-2036 designates Local Green Spaces though none are identified in Scalford (Appended).

The preparation process for both Local Plans provided opportunity to provide protection against development for green areas of particular importance to Scalford. Indeed, in the preparation of the Melton Local Plan 2011-2036, Melton Borough Council commissioned the Melton Borough Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study 2015 (MBAoS,SFS&LGSS). This Study included an assessment of existing and proposed Protected Open Areas and candidate Local Green Spaces put forward by local people and organisations (including parish councils), to determine, with appropriate evidence, which sites are or are not worthy of protection. Nine potential LGS in Scalford were assessed, none were considered suitable for protection (pages 96-100). Fields 112/113 were not assessed as they had not been put forward for consideration by the community.

The Neighbourhood Plan preparation process also provides opportunities for the local community to identify green areas of particular importance to them. Scalford Parish Council organised a drop-in event on Neighbourhood Planning which was held on 29

September 2018. The aim of this event was to help engage the community in the Neighbourhood Plan and to seek comments on the emerging topics – including LGS. Everyone who attended was invited to identify open spaces which are important to them by placing up to 6 stickers on a map of the parish. Only one sticker was placed on field 112 and none on field 113.

It is evident that, despite having had several opportunities over many years, the community has consistently considered fields 112/113 as not being particularly important to them.

### **Assessment**

Despite the lack of evidence showing that fields 112/113 were of importance to local people, the Qualifying Body evaluated the site using its environmental inventory scoring system. The scoring criteria are soundly based on the criteria set out in paragraph 100 of the National Planning Policy Framework.

### **Scoring System**

While the criteria are based on the NPPF, the scoring methodology, weighting and threshold for LGS designation are not. The criteria are grouped as follows:

Local in Character (essential for LGS designation)

Proximity (Max. score of 5)

Special to Community

Beauty (Max. score of 3)

Tranquillity (Max. score of 2)

Recreational Value (Max. score of 5)

Local Significance

Historical Significance (Max. score of 5)

Richness of Wildlife (Max. score of 5)

Just as 'Local in Character' is essential for LGS designation, NPPF paragraph 100a is clear that it should only be used where the green space is 'in reasonably close proximity to the community it serves'. It follows that Proximity is also an essential requirement of LGS designation and should not be scored.

NPPF paragraph 100b requires LGS to be: '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...' (our emphasis). The NPPF is clear that one, or more, of the criteria need to be met. It is not appropriate for the Qualifying Body to use a cumulative scoring system. There is no justification for separating some characteristics as 'Special to Community' and others as 'Local Significance'. There is no basis for identifying some of the characteristics as more important than others.

The draft Neighbourhood Plan identifies a score of 60% (16/25) as the threshold for LGS designation. The threshold is arbitrary. For example, the highest scoring LGS in the Draft Neighbourhood Plan, St Egelwin's churchyard (score 22), was considered by the MBAoS,SFS&LGSS (site 2) as not justifying LGS designation.

### **Beauty**

In relation to their beauty, fields 112/113 have no particular scenic quality. They have no landscape designation, nor do they offer any particularly attractive views. The Qualifying Body's environmental inventory scoring system recommends that most sites should score zero and that is appropriate here.

### **Tranquillity**

Scalford parish is relatively undisturbed by the presence of noise and visual intrusion from major infrastructure such as motorways and A roads, urban areas and airports. Fields 112/113 are no more tranquil than any other part of the parish. The Qualifying Body's scoring system recommends that most sites should score zero and that is appropriate here.

### **Recreation Value**

Fields 112/113 have no public open space, sports or recreation value. The only possible value is the short, narrow, little-used, length of public footpath across the site. The footpath is, in any event, protected as a Public Right of Way. Even the flawed scoring methodology suggests a score of just 1 or 2.

### **Heritage**

There are no designated heritage assets within the site but, like much of Scalford village (appended), fields 112/113 are included on the Leicestershire Historic Environment Record (HER). The relevant HER reference is MLE23137 and the record is appended. HER MLE23137 is based on records by RF Hartley in the 1980s who's map of Scalford is appended. Fields 112/113 are noted as potential earthworks (closes) dividing up land around the edge of the village. There are no visible structural remains of the earthworks.

The earthworks gain their significance primarily through their historic illustrative value, illustrating historic land use. Extant earthworks should be considered to form part of a heritage asset to include the surviving ridge and furrow across the parish of Scalford. Collectively, these are of a significance commensurate to a non-designated heritage asset of lower significance. The scoring methodology would suggest a score of 2 or 3.

Non-designated heritage assets with potential archaeological interest are already protected by the NPPF.

### **Richness of Wildlife**

Fields 112/113 are of little habitat value. The only potential wildlife value lies in the short lengths of hedgerow along the site's northern boundary. The hedge is a mix of hawthorn with bramble scrub with other woody species included. It is not species rich. It is unlikely to be an ancient hedgerow. The scoring methodology would suggest a score of 1.

### **Conclusions**

Mr & Mrs Golding recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, neighbourhood plans must be consistent with national planning policy and the strategic policies of the development plan for the area.

NPPF paragraph 99 states that '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.' Despite having had several opportunities over many

years, the local community has consistently considered fields 112/113 as not being particularly important.

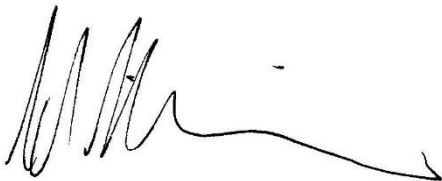
Fields 112/113 are two unspectacular paddocks on the edge of a village. There is no public access other than a little-used public footpath. The fields are not particularly beautiful or tranquil, they are of little or no recreational value, they are not rich in wildlife. Like much of Scalford village, they are included on the Leicestershire Historic Environment Record (HER). The hidden earthworks they may contain may be regarded as a non-designated heritage asset of lower significance that is already given protection through national planning policy. No additional local benefit would be gained by designation as LGS.

Despite the lack of evidence showing that fields 112/113 were of importance to local people, the Qualifying Body evaluated the site using its environmental inventory scoring system. The Qualifying Body's scoring methodology and weighting are not consistent with national planning policy. Even using the flawed scoring methodology, the total score should be just 8 to 10- well below the arbitrary threshold of 16 for LGS designation.

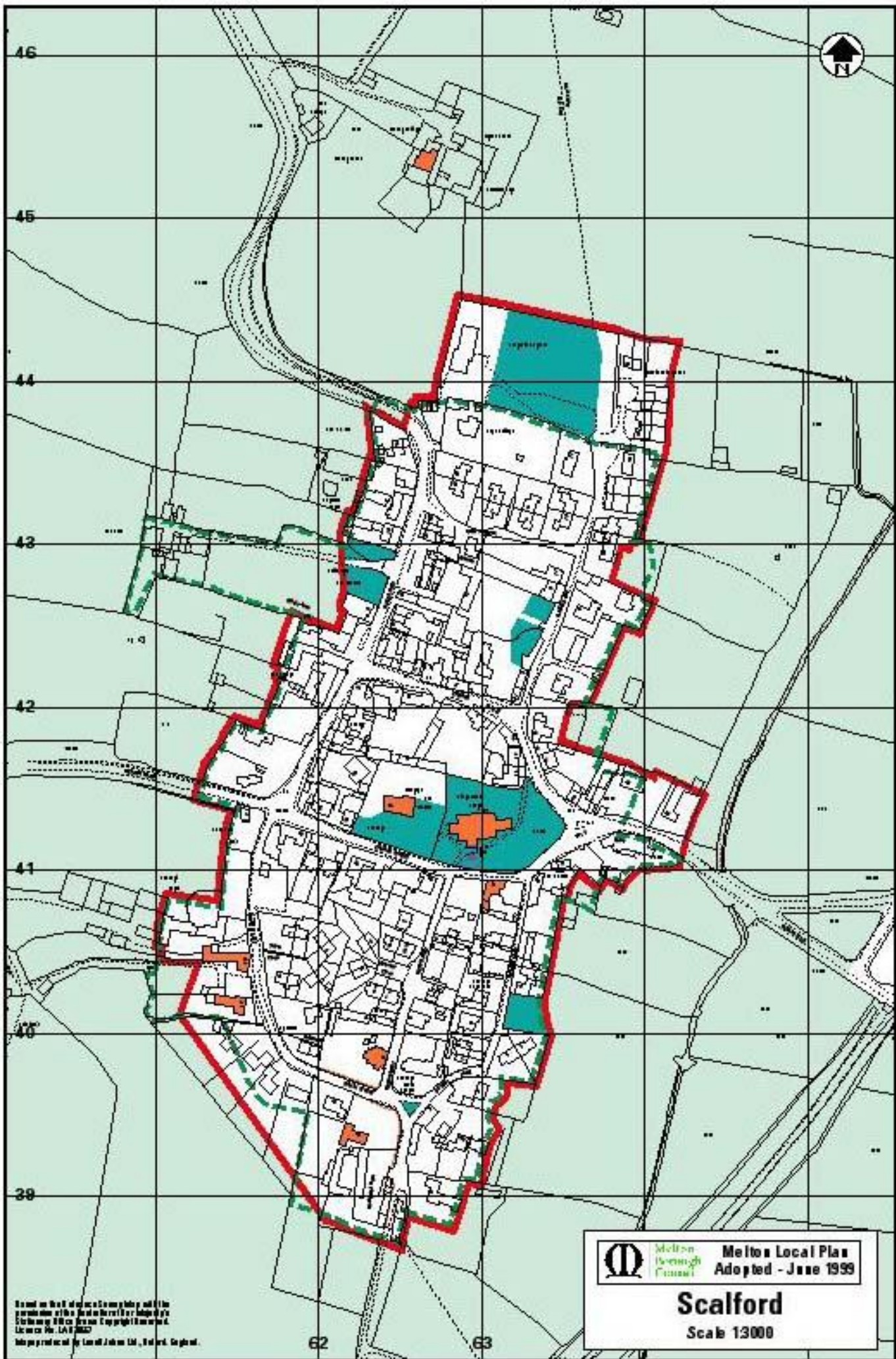
We are concerned that the designation of fields 112/113 as LGS ensures that the Neighbourhood Plan in its current form does not comply with basic conditions. The Plan does not conform with national policy for the reasons set out above.

We hope you have found these representations helpful and if you have any questions do not hesitate to contact me or one of the Planit-X team.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Colin Wilkinson', with a long horizontal flourish extending to the right.

Colin Wilkinson  
Director



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 Maps produced by Land Information Ltd., Bedford, England.


**Melton Borough Council**

**Melton Local Plan**  
 Adopted - June 1999

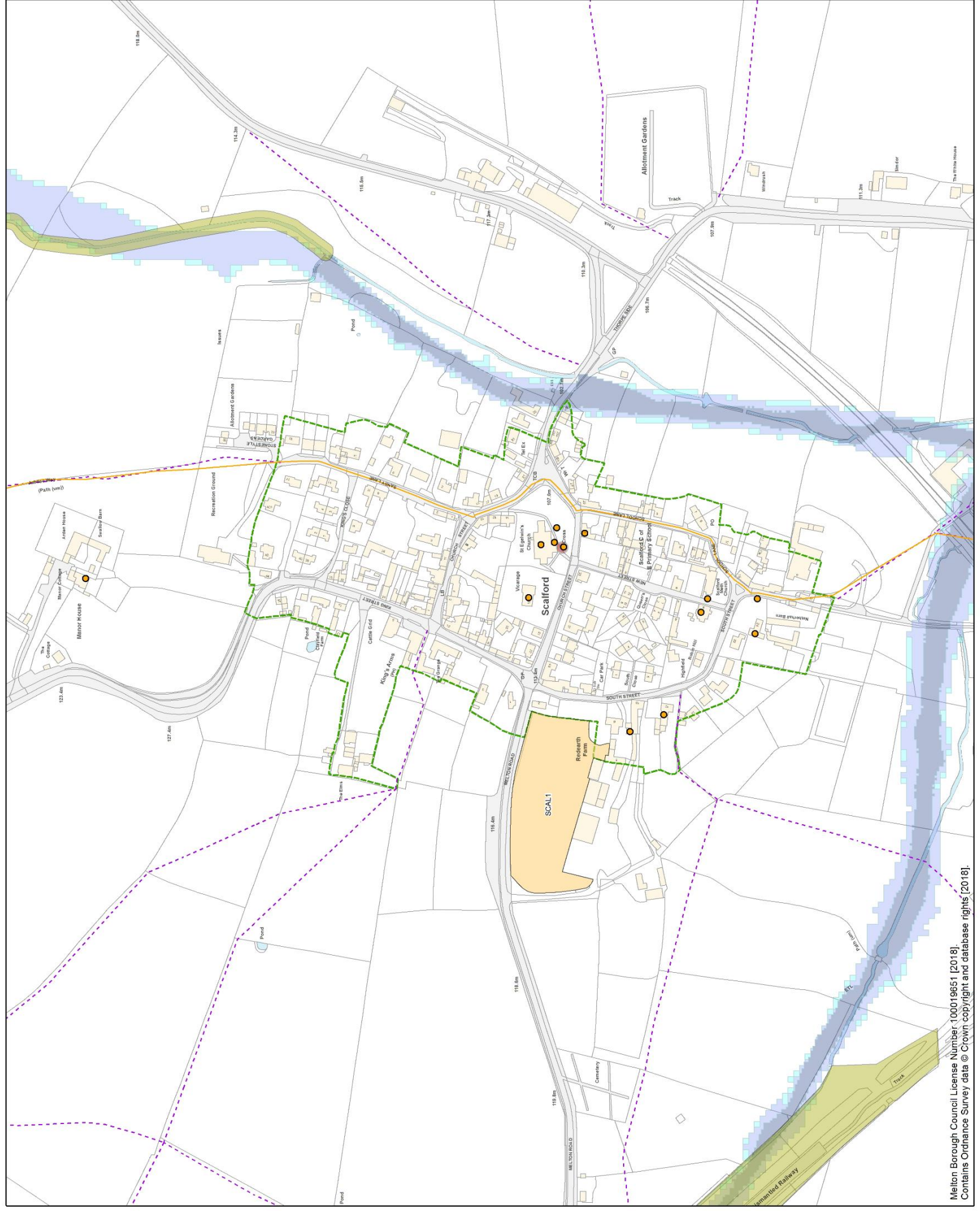
**Scalford**  
 Scale 1:3000

**Key**

- Melton Borough Boundary
- Housing Allocation
- Reserve Site
- Enhancement Area
- Non-residential
- Railway Track
- Leicestershire Round Footpath
- Public Right of Way
- Listed Building
- Key Employment Sites
- Conservation Area
- Area of Separation
- Local Green Space
- Registered Parks & Gardens
- Scheduled Monument
- National Nature Reserve
- Site of Special Scientific Interest
- Ancient Woodland
- Local Geological Site
- Local Wildlife Site
- Candidate/Potential Local Wildlife Site
- Flood Zone 3b
- Flood Zone 3
- Flood Zone 2

## Adoption Policies Map - Melton Local Plan (2011-2036) Inset Maps

Scale (A3):  
1:3,000



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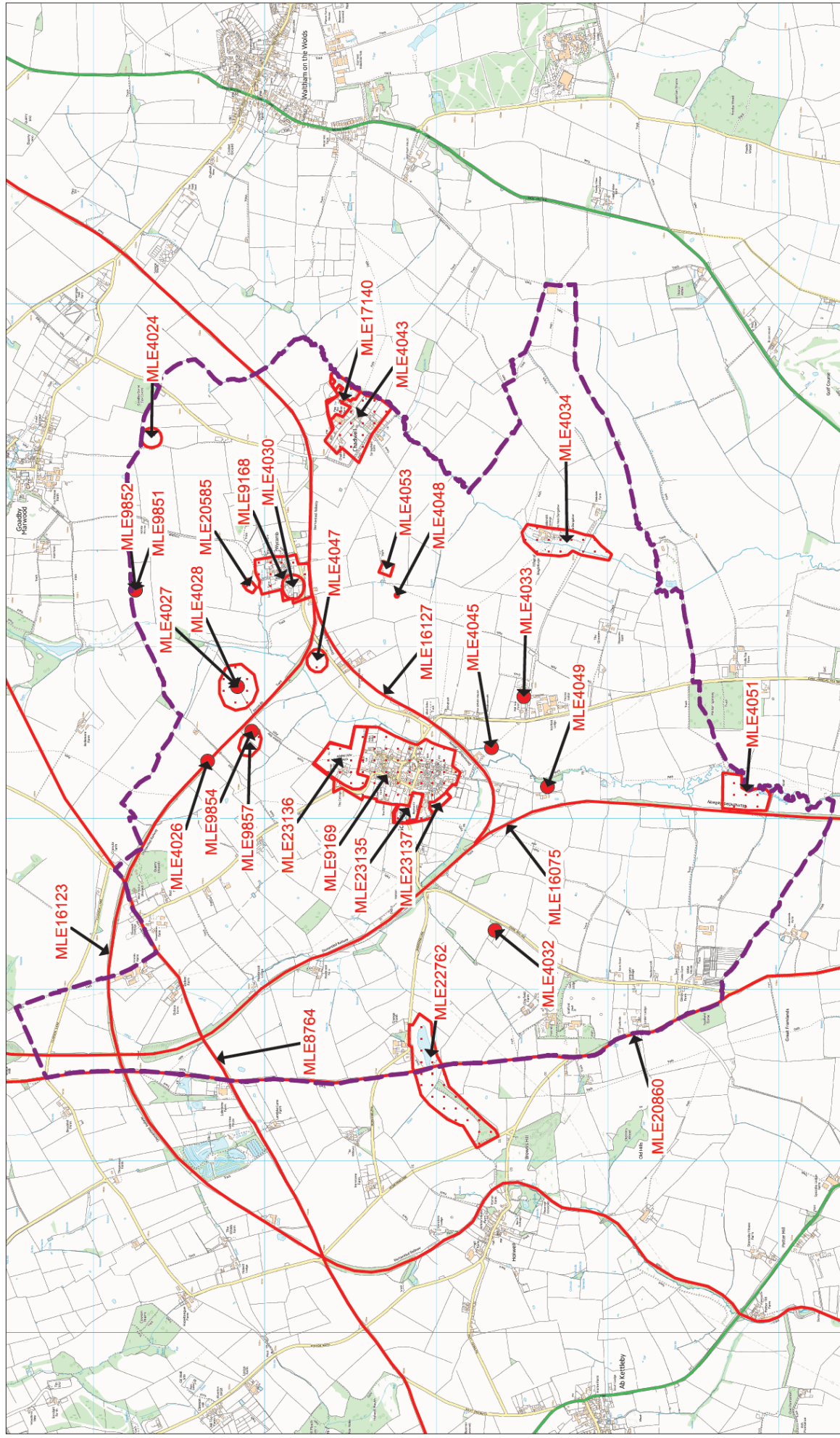
# Scalford parish

HER records (not findspots or buildings)

Compiled by Helen Wells on 5 December 2018

Historic & Natural Environment Team  
Leicestershire County Council  
Room 200, County Hall  
Glenfield  
Leicester  
LE3 8RA

Scale 1:32000





## Leicestershire and Rutland HER

If you have any comments or new information about this record, please [email us](#).

**Name:** Medieval village earthworks, south of Redearth Farm  
**HER Ref:** MLE23137  
**Parish:** Scalford, Melton, Leicestershire  
**Grid Reference:** SK 7608 2397  
**Map:** Coming soon

### Monument Types

ENCLOSURE (Early Medieval to Early Post-medieval - 1067 AD? to 1699 AD?)

### Summary

Village earthworks were recorded here by RF Hartley in the 1980s. Earthworks of possible closes are visible on the 2000 and 2011 aerial photographs.

### Additional Information

<1> **Hartley R F**, 1987, *The Medieval Earthworks of North-East Leicestershire*, p13 (Bibliographic reference). SLE496.

"Vertical air photographs show areas of village earthworks around Scalford at... SK 760239..." (RAF CPE UK 1932 3336)

### Sources

<1> Bibliographic reference: Hartley R F. 1987. The Medieval Earthworks of North-East Leicestershire. p13.

### Associated Finds

None recorded

### Designations

Conservation Area: Scalford

475000  
325000  
LAT  
52° 49'

LONG  
0° 53' W

76

77

51

10 Metres



SCALFORD