

Open Space Assessment.

Land North of Normandy Way, Hinckley.

On behalf of Morro Partnerships.

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Appendix A Letter from Site Owner

1. Introduction

- 1.1. This Open Space Assessment relates to site at north of Normandy Way, Hinckley which is a privately owned allotment land. The boundary of the site is shown below:

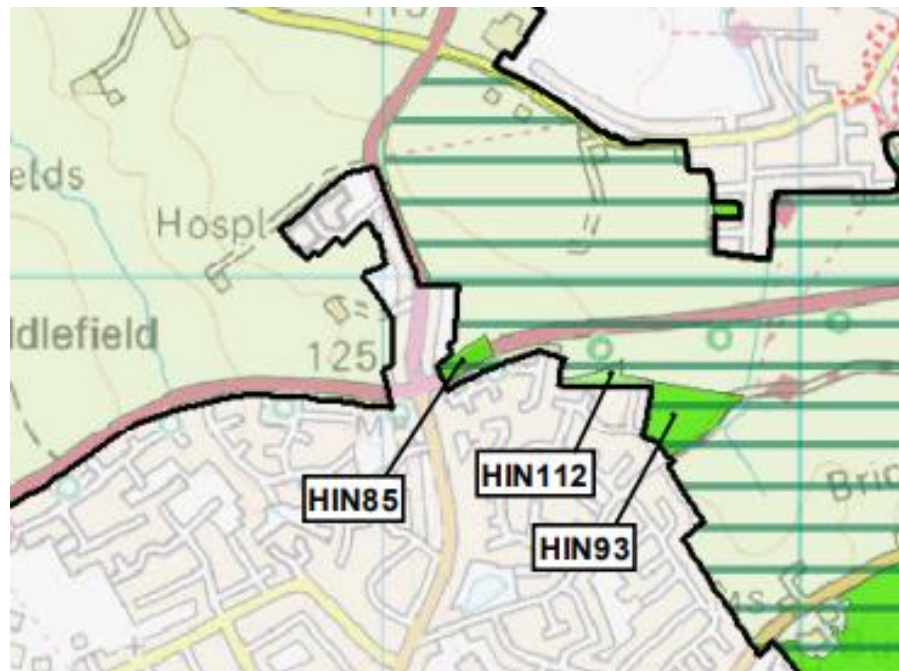


- 1.2. Photographs of the site are included below.





- 1.3. The Assessment has been prepared in support of a planning application for the land for 25 affordable dwellings including a new access on to Normandy Way, community orchard, amenity space, parking and pedestrian links.
- 1.4. The site is designated as allotments in the Hinckley and Bosworth Site Allocations and Development Management Policies (SADMP) DPD (2016) . The SADMP was prepared with evidence from the Hinckley and Bosworth Open Space and Recreation Study (2016), where the site referenced as HIN85, with site name Ashby Road Allotments.



2. Planning Policy Context

2.1. The site is designated as allotments in the Hinckley and Bosworth Site Allocations and Development Management Policies (SADMP) DPD (2016)

2.2. Policy DM8 relates to Safeguarding Open Space, Sport and Recreational Facilities and states:

Planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use and areas of open space, as identified in the most recent Open Space, Sport and Recreational Facilities Study, except where:

- a) A replacement of an equivalent typology is provided, as defined by the most recent Open Space, Sport and Recreational Facilities Study, in an appropriate location serving the local community; or*
- b) It is demonstrated that there is a surplus of recreational land, facilities or open space of the same typology exceeding the needs of the local community; or*
- c) The development of a small part of a larger site in recreational use would result in the enhancement of recreational facilities on the community. remainder of the site serving the same community.*

2.3. Simply, taking the approach of the Policy DM8, the application site falls within the remit of the policy as it is identified within the Hinckley and Bosworth Open Space and Recreation Study (2016). Section 4 below examines the site's historical and current use, and it is clear that it should not be included within 2016 Study and should not fall within the remit of Policy DM8.

4. Site Description and Status

- 4.1. The use of the site has been confirmed by the site owner who has provided a letter confirming the use of the site which is included at appendix A.
- 4.2. The site is currently in use as private allotments created originally with land left over after the development of David Wilson housing estate to the south. It has been solely used by the landowner and a few close contacts that used the site since its creation as private allotments.
- 4.3. The allotments holders have now ceased their occupation and the site is no longer occupied for this use. The landowners confirm that the field has never permitted access to the public.
- 4.4. Since the time they were created, the allotments have never been available to the general public. There was no more than 6/7 people who used the site. Currently it is only the landowner who uses the site, no one else uses the site or has access to it.
- 4.5. The NPPF glossary defines open space as:

"All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity". [emphasis added]
- 4.6. Simply applying the definition above, it is clear that the land at Normandy Way does not fulfil the definition of open space. The site does not have public value in terms of recreation, as it has always been in private ownership and not available for public use. In any event the use of the site over a number of years has been limited to a small number of individuals who are contacts of the site owner. It does not present an important opportunity for recreation.

5. Assessment of the Proposals

- 5.1. From an analysis of the Open Space Assessment 2016 it is clear that the facility scores poorly against other provision within the area, with the lowest quality percentage score of only 58. The landowners confirm in writing (Appendix A) that there is no immediate or longer-term intention to open the site to the public and therefore, if left unaltered, will never provide public access or assist in meeting allotment needs of the area.
- 5.2. An assessment of the site circumstances, including current and historical use clearly indicate that the site does not meet the definition of open space and should not be included within the Council's Open Space Study. The site should not fall within the purview of Policy DM8 of SADMP and not a Development Plan consideration with regard to the proposed redevelopment of the site.
- 5.3. If the Council maintain the view that the site is open space and within the remit of Policy DM8 of SADMP, then the circumstances around its current and historical use are material considerations. The site's current and likely future use as a private allotment used only by a small number of family contacts has negligible public value, and its loss will have no effect on the level of public provision in the area. Any deficiencies identified by the Council's 2016 Open Space Study or its successor, will not be made worse as a result of the proposed development.

Public Benefits

- 5.4. Furthermore, if the Council maintain the view that the site is open space and within the remit of Policy DM8 of SADMP, it is important the Council consider the benefits of the proposal as part of the general planning balance exercise and theoretical non-compliance with Policy DM8.
- 5.5. The development proposals include the provision of a community orchard, which will be delivered by the applicant and accessible by not only the new residents of the development, but also the existing residents within the vicinity of the site.
- 5.6. The community orchard has been designed by Ian Stemp Associates Ltd and a detailed specification has been included within the planning application. The orchards can be accessed off the internal paths within the development and the development proposes adequate safe crossing points to the surrounding residents as part of the proposed highway improvements to serve the scheme.
- 5.7. The Community Orchard will be provided for and initially managed by the applicant however, the land and its formal management can then be passed on to either the Borough Council to manage and maintain or be managed by the local residents directly.

6. Conclusion

- 6.1. The application proposals not only deliver 25 affordable dwellings in a sustainable location but provide valuable community orchard provision which will be widely accessible by new and existing nearby residents. It is the applicant's view that the application site does not fall within the remit of Policy DM8 of SADMP because the site never has been publicly accessible and it is not the landowner's intention for this to happen.
- 6.2. Should the Council consider the site falls with remit of Policy DM8, it will be important that the Council note that the redevelopment of the site will actually increase current open space provision for residents and therefore the proposals which be considered positive in this regard, in the overall planning balance for the site supporting the aims of Policy DM8.

Appendix A Letter from Site Owner

28th February 2025

To whom this may concern,

Re: Residential planning application at Normandy Way, Hinckley.

This is a statement on behalf of the landowners of the above site.

This site has historically been used as a private allotment which has been used by our family and close friends. There has never been more than 6/7 holders occupying the site.

The allotments holders have now ceased their occupation and the site is no longer occupied for this use.

I can also confirm that the field has never permitted access to the public.

Our intention is to obtain a residential planning consent on the site to deliver much needed housing within Hinckley Borough.

Regards,

Geoff Sutton

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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