

Norton St Philip Checklist and Criteria for Local Green Space Designation

Comments in Jun 2023 by [REDACTED] on the application for LGS designation of NSP004 submitted in support of the NSP NP 2023 Reg 14 Version

Point by point comments on the application underlined and in italics

Annex A to Letter from [REDACTED] dated 21 Jun – Comments on the Regulation 14 Version of the 2023 NSP Neighbourhood Plan

OALSNSP004

The Application

Whilst the original document was authored in 2015 by Mr Roe (now sadly deceased) and Mr Martin, there is no record of who submitted the application for LGS designation to MDC's Local Plan process. MDC were of the view in 2019 that the request came from the two named individuals on behalf of the "Ringwell Meadow Protection Group". Yet both individuals stated in subsequent correspondence that they did not make the submission, and one has stated explicitly that he is not and has never been a member of the RMPG! The issue of attribution has been investigated with the PC (past and present) and the previous but one local District Councillor. No-one appears to be able to recall who is or was in the RMPG nor who on the PC at the time was responsible for coordinating, validating and then submitting the package on behalf of the village and PC to MDC.

Such validation would, in our opinion, reasonably include checking for obvious inconsistencies and making judgements on the appropriateness or otherwise of including non-attributed applications in the overall village submission. Neither does the PC appear to accept that the village's package of submission was owned by them. Rather they say they were responsible for bundling the applications on behalf of the named individuals and sending them on to MDC in one package, except of course for NSP004 which no-one accepts responsibility for – hardly democratic and likely makes it invalid.

Notwithstanding, it seems both disingenuous and invidious that a document part authored by someone who passed away two years ago can still be used as the vehicle to apply for LGS designation of a private garden.

Site owners support for designation as LGS

The application states that the owners of the two gardens - Chris and Karen Parsons, and Jason Warmisham - support the application for designation. This was not true in 2015 and remains so in 2023. All 3 object in the strongest possible terms to such an assertion. They were not consulted in the preparation of this 2023 application and have never supported the designation of their gardens as a LGS. Neither have they ever given any indication that such support would be forthcoming under any circumstances.

Whole village support and PC deliberations

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

Whilst whole-village support has been claimed for NSP004, there is nothing on record from Public or Parish Council Meetings that records such support. The Parish Clerk's notes of the 'Whole Village Meeting' of 19 November 2015 has no record of discussions upon NSP004, whereas discussions upon other LGSs are recorded. At the subsequent meeting of the PC and confirmed by the Minutes, the PC did not decide about the inclusion or otherwise of the two back gardens in the version of the LGS application that was to be submitted by the PC even though it was discussed. Rather, Vivienne Bolton, a Councillor at the time is recorded in the minutes as advising the PC that she, "would take this forward with Mr Roe", a now sadly deceased Parishioner who does not appear to have had any official capacity on or for the Council but does have a clear interest because his land bordered NSP004.

Furthermore, the issue does not appear to have been considered again in any subsequent PC meeting and certainly not by the whole village. Notwithstanding, someone was able to change the original application from only the field to an application for the whole space (field plus both gardens and dated 13 December 2015) and then to include it in the overall village submission to the Local Plan. It is noteworthy that the cover page on the bundle of applications was signed by Ms Bolton on 15 Dec 2015 but there is no record of the PC having agreed to this or of it delegating to her the authority to sign on their behalf.

Therefore, it appears that the PC and the village community had, until it was raised by Ms Bolton at the PC meeting of 2 December 2015, only ever considered a LGS application for the lower field adjacent to Ringwell Lane. That is the field now owned by Mr Martin and mentioned in the 2007 NSP Conservation Assessment, and not NSP004 as currently framed. Indeed, it would seem that the application for NSP004 as it now stands has never been properly considered by the village community or the PC. This can only mean that the PC and the community (including the 100 residents at the Whole Village Meeting on 15 November 2015) cannot legitimately be claimed to support either the Ringwell Meadow Preservation Group's (whoever they were) application or the NSP004 proposal as it stands.

Individuals in the NSP community and the PC are strident in their involvement in the planning process and support for all other LGS proposals in the village seem to be properly recorded. Yet no-one in the village community appears to want to take responsibility for submitting the LGSNSP004 application in its current form and its democratic integrity is thus questionable. We have passed this comment by the Chair of the PC and the Parish Clerk for corrections of fact with no adequate response. It cannot therefore be claimed that the 'consultation community' feels particularly strongly about the designation of NSP004 and it certainly does not pass the 'demonstrably special to the local community' or indeed exceptional test required for a private garden to be designated as a LGS over and above the other layers of protection that are already in place.

Point by point comments on the application underlined and in italics

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

1.	General Information LGS Application for Ringwell Meadow, Norton St Philip	Tick where evidence is attached
1.1	<p>Name and address of site – including all known names</p> <p><i>Ringwell Meadow, Ringwell Lane, Norton St Philip</i></p> <p><u><i>The name has only come into use in the last 3 - 5 years. It is used by one of the landowners and does not appear to be familiar to any of locals. It has also been labelled as a water meadow in the same period, which it quite clearly is not.</i></u></p> <p><u><i>The application refers to an unnamed field in MDC's Conservation Area Assessment of Norton St Philip, completed in of 2007. This is taken to be the parcel of scrubland not the two gardens, both of which have been maintained in their current state for more than 15 years. It is assessed as highly unlikely that the author of the comprehensive analysis referred to would have mistaken a well-maintained garden for a field. It is also highly likely that the author of the analysis would have used the local name as part of the description had one have existed. Absence of the name in this report reinforces the conclusion that it is a recent invention.</i></u></p>	
1.2	<p>Site Location Plan – showing locality and boundaries of the site and map scale</p> <p><i>See attached – as defined by OALSNSP004</i></p> <p><u><i>The submitted plan and photographs show different areas. The photograph shows the LGS as cutting through the properties adjacent to Ringwell Lane and conveniently avoids the kitchen and main bedroom of The Barton but still includes the electricity substation. Whereas the map shows NSP004 as cutting through the kitchen and bedroom area of The Barton and still includes the substation. Which is correct? On their own, these mapping errors must invalidate the application.</i></u></p>	
1.3	<p>Organisation or individual proposing site for designation – normally Parish Council or recognised community group</p> <p><i>Ringwell Meadow Preservation Group and Parish Council</i></p> <p><u><i>Membership of the Ringwell Meadow Preservation Group is unknown to the PC. Records show that the Parish Council have never agreed to support this</i></u></p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

	<p><u>application and support for it from the Village has never been tested. The authors Mr Will Martin and Mr Geoff Roe (sadly now deceased), both denied membership of the RMPG and both of them have said in writing that they did not submit the application. The Application's provenance and integrity must therefore be drawn into question. It cannot be tested now because Mr Roe is deceased.</u></p>	
1.4	<p><i>Ownership of site, where known</i></p> <p><u>Will and Janet Martin , Lyde Green, Chris & Karen Parsons, The Barton and Jason Warmisham, The Barn</u></p>	
1.5	<p><i>Is the owner of the site aware of the potential designation? Do they support the designation?</i></p> <p><u>Yes</u></p> <p><u>Not correct. Chris and Karen Parsons, and Jason Warmisham object in the strongest possible terms to such an assertion. They were not consulted in the preparation of this application and have never supported the designation of their gardens as a LGS. Neither have they ever given any indication that such support would be forthcoming.</u></p>	
1.6	<p><i>Photographs of site</i></p> <p><i>See aerial photograph attached</i></p> <p><u>The areas detailed on the aerial photograph and the map are misaligned in a significant way. It is thus not clear what area this application refers to.</u></p>	
1.7	<p><i>Community served by the potential Local Green Space – does it serve the whole village or a particular group?</i></p> <p><i>Whole Village</i></p> <p><u>The site is private property and consists of a maintained garden, a garden that is overgrown and a badly maintained and scruffy field. The local community have no access to the site and the nature of the service it provides has not been described. Given the nature of the site it is difficult to identify what service it might provide to the community.</u></p> <p><u>The whole of an electrical substation that supports the wider village is included in the site area. The transformers and associated electrical appliances are painted grey and could not possibly be considered as part of a LGS. It is unlikely that the electric company responsible for the substation have been consulted. If they were it seems unlikely that they would support designation</u></p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

	<p><i>given the impact that such a designation would have on their ability to maintain and improve the site and its equipment, or indeed to add to or change the equipment to embed green technology.</i></p> <p><i>It may be relevant that the properties known as Lyde Green and Pond Barton, owned by Mr Martin and Mrs Roe respectively and built between 1980-1990 with large gardens, are just as much a part of the site as the gardens of The Barton and The Barn yet they are not included.</i></p>	
2.0	Planning History	
2.1	<p>Is there a current planning application for this site? If permitted/allocated could part of the overall site still be used as a Green Open Space?</p> <p><i>No current application</i></p> <p><i>None of the site is a Green Open Space. Two planning applications have been granted - house extension to The Barton, completed in 2014, and an extant permission to construct a single dwelling in the grounds of The Barn.</i></p>	
2.2	<p>Is this site allocated for development in the Local Plan Part 2? If allocated, could part of the overall site still be used as a Green Open Space?</p> <p><i>No development allocated</i></p> <p><i>The site is within the development boundary of the Village. Were the private gardens to be removed from the site the remaining ground, i.e. the field, could still be designated as a Local Green Space.</i></p>	
3.0	<p>Size, scale and 'local nature' of proposed Local Green Space</p> <p><i>Approx. 2 acres; enclosed by Ringwell Lane and the properties along this, The Barton and Church Street</i></p>	
3.1	<p>Area of proposed site</p> <p>It is unlikely that a site over 50 acres would be considered suitable for designation</p> <p><i>Circa 2 acres</i></p>	
3.2	<p>Is the site an extensive tract of land? Extensive tracts of land cannot be designated as LGS and how does it relate in size to other fields/areas of land in the vicinity?</p> <p><i>No - see above</i></p>	
3.3	<p>Is the proposed site 'local in character'? Does it feel part of the local area and why? How does it connect physically, visually and socially to the local area? What evidence can you provide?</p> <p><i>See full application</i></p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

	<p><u><i>The proposed site is no more local in character than any other field, garden or scrubland in and around NSP, and it has no social connection with the Village.</i></u> <u><i>The site is no different to many other sites in the village. The gardens are typical gardens, one well maintained and laid out to amenity grass, the other is left to aild.</i></u></p>	
4.0	Need for Local Green Space	
4.1	<p>Is there a need for a local green space in this location? Is there a shortage of accessible green space in the area?</p> <p><i>Yes; importance recognised in CACA</i></p> <p><u><i>From an access to green space perspective, the site is at the edge of the Village and adjoins open fields. The size and location of Norton St Philip means that every resident has easy access to green space (footpaths, recreation pitches, picnic areas etc) no matter where they live.</i></u> <u><i>The interpretation of MDC's Conservation Area Appraisal conducted in 2007 is incorrect. The assessment refers to the field off Ringwell Lane. It is unlikely that the assessor would have mistaken maintained gardens for a field and the spatial survey element of the assessment clearly identifies that it is the field which is being referred to.</i></u></p>	
5.0	Evidence to show that 'the green space is in reasonably close proximity to the community it serves'.	
5.1	<p>How far is the site from the community it serves? Is the site within 2km of the local community?</p> <p><i>Yes; 3 mins walk from church - see aerial photograph</i></p> <p><u><i>The nature of the service is difficult to discern so measuring distance to the community it serves is equally difficult.</i></u></p>	
5.2	<p>Are there any barriers to the local community assessing the site from their homes? Include main roads and possible evidence along with potential solutions</p> <p><i>Private land but clearly visible from all around site</i></p> <p><u><i>The site is not clearly visible. The site is surrounded by a stone wall, evergreen hedgerows and trees which make it almost impossible to see and certainly not by a casual walker or even horse rider. The landowner of the field has recently planted trees along the boundary wall that over time will make the site even less visible from Ringwell Lane.</i></u></p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

6.0	Evidence to show that the green area is 'demonstrably special to a local community'.	
6.1	<p>Evidence of support from Parish Council – such as letter of support or minutes of meetings</p> <p><i>PC support given in 9.14 and further confirmed on 19.11.15 and at the Parish Council Meeting on 2nd December 2015</i></p> <p><i>This is not correct. Records suggest that the PC Meeting of 2 Dec 2015 and the Whole Village Meeting of 19 November supported the original application referred to in paragraph 1. At no time were the Village consulted upon the inclusion of the gardens into the site and the Parish Council never had the opportunity to decide on support for this inclusion or otherwise. The records of the relevant meetings and the opportunity for gaining support/deciding set against the relevant dates clearly demonstrate this.</i></p>	
6.3	Evidence of support from community leaders such as ward members, district councillors etc.	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

6.4	<p>Evidence of support from other groups – such as conservation groups, wildlife trusts, local amenity societies, local schools etc.</p> <p><i>LGS application sponsored by Ringwell Meadow Preservation Group</i></p> <p><u>The membership of this group does not appear to be known to anyone, including the Parish nor District Councils. Neither Mr Will Martin nor Mr Geoff Roe (sadly now deceased) admitted to membership of the RMPG and both have said in writing that they did not submit the application. The Application's provenance and democratic integrity must therefore be drawn into question.</u></p>	
7.0	<p>Evidence to show that the green area 'holds a particular local significance, for example because of its beauty' Indicate what evidence you are providing against each point.</p>	
7.1	<p>Is this criterion relevant to this site? Yes</p> <p><u>No evidence provided at all</u></p>	
7.2	<p>Describe why the community feels that the site has a particular local significance for its beauty.</p> <p><i>See full application</i></p> <p><u>Beauty is in the eye of the beholder and there is nothing unique about these two gardens and the field, no evidence has been submitted that affirms such significance. There are no exceptional circumstances that warrant designating private gardens as LGS</u></p>	
7.3	<p>Site visibility – Is it easy to see the site from a public place? Are there any long distance views of the site? Are there views of the site from any key locations?</p> <p>Yes</p> <p><u>No – any visit to the site and the village would highlight that the site is difficult to see from a public place. A long-distance view would be possible from the very top of the church spire but likely nowhere else.</u></p>	
7.4	<p>Is the site covered by any landscape or similar designations? Such as conservation area, special landscape area, area of outstanding natural beauty?</p> <p>Yes - Q2/DP2</p> <p><u>The site forms part of the NSP Conservation Area and is in the curtilage of a historic building</u></p>	
7.5	<p>Is the site specifically mentioned in any relevant landscape character assessments or historical documents?</p> <p>Yes - MDC CACA</p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

	<i>The site in the original application is referenced. The gardens are not.</i>	
7.6	Does the site contribute to the setting of a historical building or other special feature? <i>See full application</i> <i>No – comments from the Heritage Conservation Team in response to planning applications explain why this is not the case.</i>	
7.7	Is the site highlighted in literature or art? i.e. famous book or painting. <i>No</i>	
8.0	Evidence to show that the green area ‘holds a particular local significance for example because of its historical significance’?	
8.1	Is this criterion relevant to this site? <i>Yes</i> <i>No</i>	
8.2	Are there any historical buildings or remains on the site? Including listed buildings, ancient monuments, memorials etc. <i>No as affirmed by the Heritage Consultation Team in 2 recent planning applications.</i> The site is <i>Adjacent to a G2* Ancient Monument</i>	
8.3	Are there any important landscape features on the site? Including old hedgerows; ancient trees; historic ponds; or historic garden features. <i>The hedgerows surrounding Ringwell Meadow especially south of Norton Brook are old and a few of the trees along the same stretch are many years old. Also, the edge of the Meadow which abuts Ringwell Lane has an old dry stone wall which is a haven for newts, frogs, toads and a variety of wildlife.</i> <i>No the site is not bounded by, nor does it contain, a hedgerow. Trees in and around the site are not particularly old nor valuable. Such a judgement is based on assessments conducted as part of the application for planning permission for one of the gardens.</i> <i>An ecological survey of two parts of the site concluded that there was nothing special about the habitat. The survey passed comment on the field as well and is freely available to anyone on MDC's planning website. Furthermore, the owner of the scrubland has recently demolished and rebuilt the bulk of the dry stone wall bordering the site.</i>	
8.4	Did the site play an important role in the historic development of the village? <i>See full application</i>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

	No	
8.5	<p>Did any historic events take place on the site?</p> <p><i>Close by - see full application</i></p> <p><u>No. The only activities recorded for the site that can be found was quarrying in the 18th Century and subsequently for grazing cattle. Indeed, as of Spring 2023 sheep still graze on the field.</u></p>	
8.6	<p>Do any historic rituals take place on the site? Such as maypole dancing etc.</p> <p>No</p>	
9.0	<p>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 appropriate).</p>	
9.1	<p>Is this criterion relevant to this site? Yes</p> <p><u>No, there is no evidence that the site is particularly significant</u></p>	
9.2	<p>Is the site used for playing sport? If so what sport? How long has it been used for sports and is the provision free or club membership required?</p> <p>No</p>	
9.3	<p>Are the public able to physically access the site? Are there any public rights of way across the site or adjacent to the site? Has access been allowed on a discretionary basis? Is there public access to the whole or only part of the site? Is there good disabled access to the site?</p> <p>No</p> <p><u>None of the above</u></p>	
9.4	<p>Is the site used by the local community for informal recreation? And since when? E.g. dog walking, sledging, ball games etc.</p> <p>No</p>	
10.0	<p>Evidence to show that the green area 'holds a particular local significance, for example because of its tranquillity'?</p>	
10.1	<p>Is this criterion relevant to this site? Yes No there is no evidence to support this</p>	
10.2	<p>Do you consider the site to be tranquil? Are there any busy areas nearby?</p> <p>Yes -see CACA and full application</p> <p><u>No . The site is bounded by residential properties and garden. It is only quiet when residents are not maintaining their gardens or using them for recreational purposes.</u></p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

10.3	<p>Is the site within a recognised tranquil area?</p> <p>Yes</p> <p><u>No evidence has been found to support this either through maps or by applying recognised planning tools for assessing the tranquillity of an area.</u></p>	
11.0	<p>Evidence to show that the green area 'holds a particular significance for example because of its richness of its wildlife'?</p> <p><i>Quite the reverse. The ecology surveys undertaken in 2016 and 2019 on two of the parcels of land found nothing of significance.</i></p>	
11.1	<p>Is this criterion relevant to this site? No</p>	
11.2	<p>Is this site formally designated for its wildlife value? E.g. as a site of specific scientific interest; a key wildlife site etc.</p> <p>No</p>	
11.3	<p>Are any habitats or species found on this site? Plans or protected species or on the red/amber lists of birds of conservation concern etc.</p> <p><i>Unknown – survey required</i></p> <p><u>No - An ecology survey was conducted in 2016 and repeated in 2019. It is freely available to anyone on MDC's planning website</u></p>	
11.4	<p>What other wildlife of interest has been found on the site?</p> <p><i>Unknown</i></p> <p><u>None – see ecology surveys conducted in 2016 and 2018</u></p>	

Norton St Philip Checklist and Criteria for Local Green Space Designation
Comments in Jun 2023 by [REDACTED] on the application for LGS
designation of NSP004 submitted in support of the NSP NP 2023 Reg 14
Version

Point by point comments on the application underlined and in italics

11.5	Is the site part of a long term study of wildlife my members of the local community? Including the long term monitoring of breeding birds etc. <i>Unknown</i> <i>No</i>	
12.0	Evidence to show that the green area 'holds a particular significance for any other reason'?	
12.1	Is this criterion relevant to this site? Yes <i>No see comments on the full application</i>	
12.2	Are there any other reasons why this site has a particular local significance for the local community? <i>See full application</i>	

Completed by:

Date:

Ringwell Meadow Preservation Group

14th December 2015

Comments underlined and in italics were written by [REDACTED]

[REDACTED] E on 6 Jun 2023.

They are endorsed by [REDACTED] and [REDACTED]