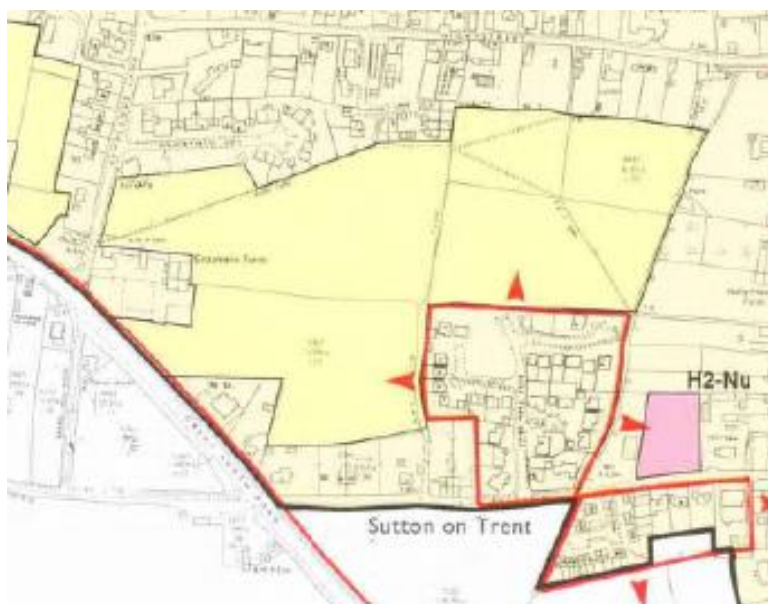
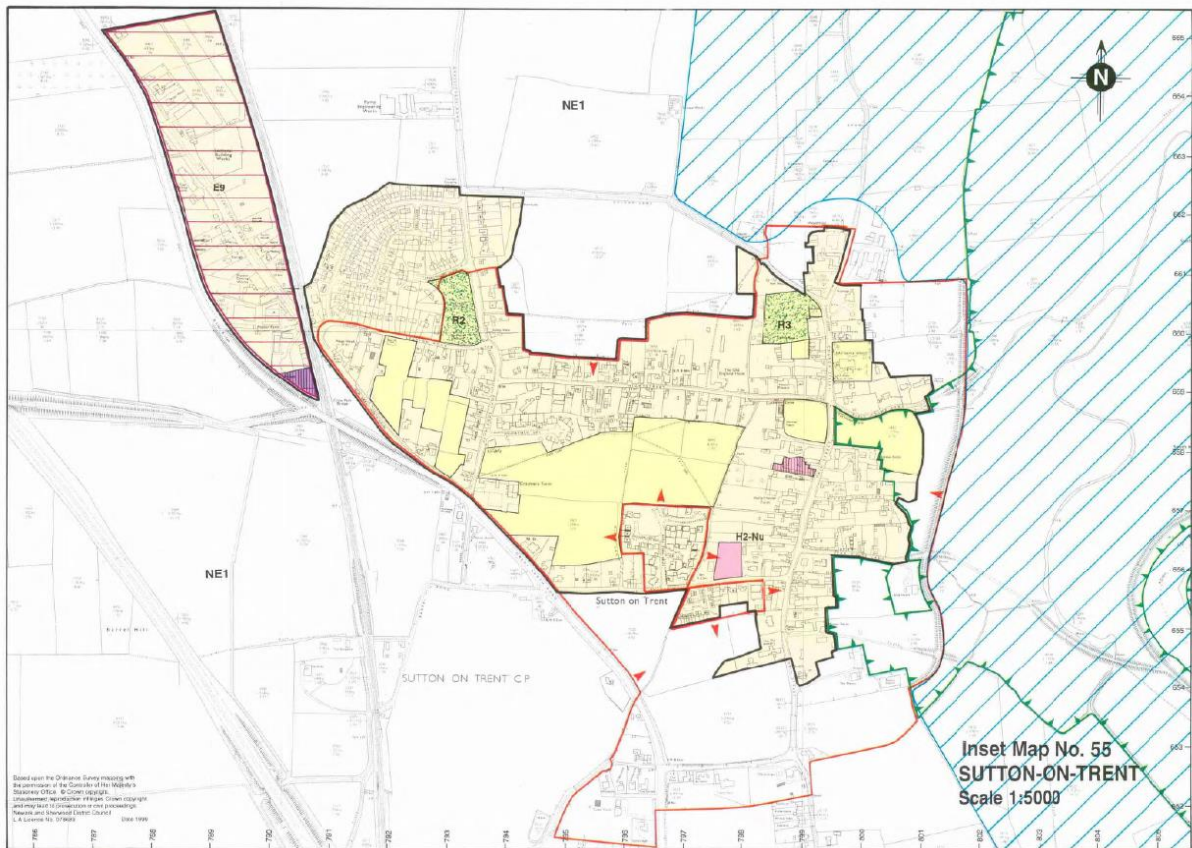


# Response to Representor 005/0037 Written Statement – Matter 8 ‘Open Breaks and Main Open Areas’

## Context

The site allocation ST/MU/1 formed part of a larger ‘Main Open Area’ (MOA) designated within the District-Wide Local Plan (adopted March 1999) – extracts below.



This was subject to the review of Main Open Areas which took part as part of the preparation of the adopted Allocations & Development Management DPD, the results of which are detailed through the [Main Open Area Review](#) (2011) (EB23 within the Examination Library for that document). This sought to make an objective assessment of the continued relevancy of the designations, taking into account the extent to which they help define settlement form and structure.

Integral to the review was the identification and resolution of instances where unnecessary multiple designations had occurred, for example where a Main Open Area overlapped with open space and so would be covered by Spatial Policy 8 'Protecting and Promoting Leisure and Community Facilities'. Or alternatively where an alternative regime provided protection – for instance Church graveyards. Accordingly, the methodology assessed;

- The role that the area played to the form and structure of the settlement;
- The level of public access or potential for people to overlook the site; and
- Whether the site is protected by other policies or designations, and if so does there need to be an MOA designation in addition to this.

Application of this methodology resulted in the deletion of a number of pre-existing MOAs, and removal of the western area incorporating the land which went to be allocated through ST/MU/1 (assessed under reference SUT-03 in the Review).

Paragraph 47 of the [Inspectors Report](#) for the submitted Allocations & Development Management DPD outlined;

*The SA indicates that the key issues associated with Sutton on Trent are the impact on existing open spaces within the village envelope and the character of the conservation area. ST/MU/1 occupies open land at the centre of the village. However, the Main Open Area Review, which is robust, indicates that the land could be removed from the MOA without detriment to the character of the area. Having seen the site I agree with this conclusion and concur that its central location makes it highly accessible and the most preferable site in the village. There is no evidence base as yet for additional community facilities within the village which might require extending the allocated area. However, MM85 adds a sentence before the allocation recognising local residents' desire for such facilities which may, if justified, come forward through development control process. MM87 adds words to the policy ensuring that a masterplan forms part of the planning application to enable the range of allocated uses to be delivered in the right place within the site.*

Consequently, the western portion of the MOA was deleted and the mixed use allocation ST/MU/1 identified in its previous location. The site allocation policy also included reference to consideration being given to a comprehensive mixed use scheme of development on the site extending into the Main Open Area to the east, where it could be demonstrated that this is necessary to deliver community facilities within the site and provide public access to other parts of the Main Open Area. The housing and car park extension to the Dr's surgery are now fully built-out with space leftover for subsequent delivery of the village hall and retail anticipated through the site allocation policy.

## **Response**

The design and layout of the site has incorporated a generous amount of open space on the frontage of the site to Hemplands Lane, on land formerly identified within the MOA. Which the representor considers provides sufficient contribution towards the form and structure of the settlement as to warrant its re-identification as a Main Open Area, citing the loss of land within the retained Main Open

Area to the west of the ST/MU/1 site allocation, the function of the identified land in the east as being akin to a modern village green, its occupation of a central location within the Conservation Area (considered to be determinative in the approval of the initial planning approval for the site, through 14/00161/FULM) and the Parish Council's aspirations to site a new War Memorial on the land.

As set out during the hearing session itself, in respect of the contested Main Open Area in South Muskham, the majority of the designations are longstanding in nature and pre-date the previous District-wide Local Plan and so where retained possess a degree of permanence. Given their comprehensive and 'robust' review was carried out as part of the preparation of the current Allocations & Development Management DPD it was not considered necessary to undertake further assessment through this Plan Review process. This position would be consistent with the degree of permanence characterising most of the designations. The land identified by the representor was removed from the designation through that process and now provides open space. Through the previous review of the MOAs a clear precedent was set that the use of the MOA designation would be avoided where land would be protected through an alternative policy mechanism. In this instance the land would continue to be covered by Spatial Policy 8 in the Amended Core Strategy, which would provide for an appropriate level of protection.

In terms of the contribution of the open space towards the Conservation Area – the designation has not been subject to detailed review, via a Conservation Area Character Appraisal. However, the Sutton-on-Trent Conservation Area has been identified as a priority to complete, and so an appraisal is likely to be in place in the near future. Clearly, any proposal here which requires planning consent and would result in loss of open space would need to be acceptable in terms of its impact on the Conservation Area – providing a further level of consideration in addition to Spatial Policy 8.

The representor has highlighted that the original Planning Obligation requires maintenance of the open space in perpetuity, and so any alteration to this would require amendment of the obligation. Beyond this the statement also outlines that various infrastructure is located within the open space (including Electricity Sub Station, Fibre Optic Connections, Public Footpath and Underground Surface Water Attenuation Crates for the highway surface water), and 'as such it is not actually developable for built development anyway.'

Based on the above the District Council would not consider it consistent with the approach taken elsewhere to designate the land as a Main Open Area, or for this to be necessary to provide confidence around its retention in its current form.

20<sup>th</sup> November 2024