

FULL NAME	DUTY TO COOPERATE	LEGALLY COMPLIANT	SOUND	WHICH PART	WHICH PARAGRAPHS	WHICH POLICY	WHICH POLICY MAP	WHICH DIAGRAM	WHICH TABLE
Miss Baljinder Shina	No	No	No	Policy		NPPF 99 (2018) Local Green Space sustainable development criteria Paragraph paragraph 9, page 2 Policy Local Plan Local Green Space Assessment 2021 4(2) Not sound, not justified			

WHY PLAN NOT SOUND	MODIFICATIONS	HEARINGS	HEARING SESSIONS
<p>The inclusion of planning applications in the sustainable development criteria used to assess LGS designation is illogical (as specified in NPPF 99 (2018)). In particular, we said in our email to Officers on 7/3/21.</p> <p>Planning applications are transitory in nature, covering a much shorter time scale than that of preparing the local plan. At exactly what point in the local plan preparation process would you think a planning application might have the effect of defeating an LGS application? When the idea of an LGS is first raised? Perhaps when a particular draft is being formed or perhaps some other time of the Council's choice? Since you have told me many times that the local plan preparation process is entirely separate from the consideration of a planning application, it seems highly suspicious if you decide to link them here. Of course, to take this illogical idea to its logical conclusion, an LGS proposal could be defeated by anyone submitting a planning application (however speculative) at the appropriate time (or even at multiple times) during local plan preparation. This would be entirely against the intention of LGS designation and I hope you understand this.</p> <p>Further, NPPF Guidance Paragraph: 008 Reference ID: 37-008-20140306 on Local Green Space only states designation is not suitable if there is planning permission, but does not say designation is not suitable if there is a planning application.</p> <p>Local Green Space designation will rarely be appropriate where the land has planning permission for development.</p> <p>In a later meeting on 29/3/21, the Council Officers confirmed that all references to planning applications had been removed. They agreed reference to planning applications were not relevant and read out a version of the 'sustainability assessment' with no reference to planning applications.</p> <p>However, a new final paragraph with new references appeared with no explanation or justification in the Local Green Space Assessment paragraph referring to 'sustainability assessment' on publication on 29/5/21.</p> <p>Our objection to the inclusion of planning applications in LGS assessments still stands and all references must be removed. Despite many emails and meetings, no justification for the inclusion of references to planning applications has been has provided.</p>	<p>Remove the final paragraph of the 'sustainability assessment' on page 2</p> <p>As this removes the last objection to Leconfield being assigned Local Green Space designation, it must now be given Local Green Space status.</p>	<p>No</p>	

Michael, Clare, Richard

Criteria used for LGS designation

Hello Michael, Clare and Richard

Following my EIA request, I received a worrying document entitled 'Charnwood Borough Council Local Green Space Assessment' that showed the local plans team had put together a list of criteria for assessing LGS designation, some of which are inconsistent with what is specified by the NPPF.

Of particular concern is paragraph 9 which states.

*The planning history of the proposal site is reviewed and sites with an extant planning permission for development or a **current planning application** are discounted. **Sites that are allocated for development, or proposed to be allocated for development are discounted.***

We agree sites with planning permission are excluded, but you must be aware that discounting sites at which there is a planning application or sites allocated for development or proposed for development are all at odds with NPPF guidance Paragraph 008 Reference ID:37-008-20140306 which states

Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.

No mention of planning application or sites allocated for development or proposed for development. The Council document is identified as a draft and I sincerely hope you removed these inconsistencies with regards to the proper criteria that should be used for LGS designation.

I will continue in case you made the mistake of leaving in these inconsistencies.

By 'allocated' or 'proposed' for development I assume this was in the previous local plan as LGS designation is only considered during local plan preparation? It would not make logical sense to assume the outcome of a local plan during its preparation in determining decisions within the same plan? You would be falling into the fallacy of begging the question

Planning applications are transitory in nature, covering a much shorter time scale than that of preparing the local plan. At exactly what point in the local plan preparation process would you think a planning application might have the effect of defeating an LGS application? When the idea of an LGS is first raised? Perhaps when a particular draft is being formed or perhaps some other time of the Council's choice? Since you have told me many times that the local plan preparation process is entirely separate from the consideration of a planning application, it seems highly suspicious if you decide to link them here. Of course, to take this illogical idea to its logical conclusion, an LGS proposal could be defeated by anyone submitting a planning application (however speculative) at the appropriate time (or even at multiple times) during local plan preparation. This would be entirely against the intention of LGS designation and I hope you understand this.

I am looking forward to your response on this matter that is extremely worrying for us.

Regards

David