FULL NAME	DUTY TO COOPERATE	LEGALLY COMPLIANT	SOUND	WHICH PART	WHICH PARAGRAPHS	WHICH POLICY	WHICH POLICY MAP	WHICH DIAGRAM	WHICH TABLE
Mr Chris Ortega	No	No	No	Policy		NPPF open space and informal open space definition Policy EV9 Open Spaces, Sport and Recreation (3rd paragraph)			

WHY PLAN NOT SOUND	MODIFICATIONS	HEARINGS	HEARING SESSIONS
should not be developed. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Informal open space is clearly open space under the NPPF definition. However, the third paragraph in in EV9 that specifies that We will protect our open space, sport and recreation provision identified on the Policies Map, and any future provision made The definition of open space as given by The National Planning Policy Framework (page 69, 2018) and used throughout Charnwood Borough Council documents [1], [2] is 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. For example, Leconfield has been used informally as open space for 50 years, as confirmed by our residents' survey [3]. This open space has been demonstrated to be of public value by more than 250 people who protested on the open space in August and over 700 people signing a Council petition to protect it [4]. Under the definition of NPPF 97, Leconfield is clearly an open space as it has been demonstrated to be of value of the public and none of NPPF 97 (a), (b) and (c) applies to the Leconfield open space.	Informal open space is clearly open space under the NPPF definition. The third paragraph in in EV9 that specifies that We will protect our open space, sport and recreation provision identified on the Policies Map, and any future provision made as part of new development, unless it can be satisfactorily demonstrated that... is too stringent and must be removed and replaced by We will protect our open space, sport and recreation provision identified on the Policies Map or used informally as open space, and any future provision made as part of new development, unless it can be satisfactorily demonstrated that... Further, the local plan should seek to protect informal open space using a suitable designation. This can be done by modifying the final paragraph of EV9. We will support neighbourhood plan groups, residents' groups and community groups in proposing, protecting and enhance locally important open space, sport and recreation facilities through neighbourhood plans or other community-led initiatives. References [1] Nortoft Partnerships. Open Spaces Assessment Study prepared for Charnwood Borough Council, December 2017, https://www.charnwood.gov.uk/files/documents/open_spaces_assessment_study_2017_prepared_by_nortoft/Open%20Spaces%20Assessment%20Study%2C%202017%2C%20prepared%20by%20Nortoft.pdf [2] Charnwood Borough Council, Open Spaces Strategy 2018-2036, https://www.charnwood.gov.uk/files/documents/open_spaces_strategy_2019/Open%20Spaces%20Strategy%2C%202019.pdf [3] Survey results of use of Leconfield Open space, July 2020, https://cdn.website-editor.net/a8c2488736374401aecb8666b24a1266/files/uploaded/Survey%2520on%2520the%2520use%2520of%2520the%2520Leconfield%2520Open%2520Space.pdf [4] ePetition started by Nanpantan Residents to 'Protect our last open space in Nanpantan', https://charnwood.moderngov.co.uk/mgEPetitionDisplay.aspx?ID=8&RPID=871050&HPID=87105	No	