Comments

Site Specific Part 2 Local Plan - Publication Plan Consultation (18/12/19 to 12/02/20)

Comment ID 140
Response Date 12/02/20 08:47
Consultation Point Policy NEH3 Historically and Visually Important Local Green Spaces (View)
Status Processed
Submission Type Email
Version 0.3

Representation
Please use a separate form for each representation.

Which part of the Publication Plan does your representation relate to?
Policy NEH3

Tests of Soundness
Do you consider the Local Plan is sound in terms of being:

- Justified . No
- Effective
- Positively prepared
- Consistent with National Policy . No

Reasons

Please give the reason(s) why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the statutory Duty to Cooperate.

These representations relate specifically to the designation of HVI028 as Historically and visually important Local Green Space under policy NEH3 and are made on behalf of the owner of land that is subject to that designation.

Consistent with the reasons given and amplified in representations previously made by and on behalf of our client:

HVI028 is contrary to paragraph 100 on the National Planning Policy Framework (NPPF) concerning the designation of Local Green Space;

HVI028 does not meet the requirements of NPPF, paragraph 100 (b); it is not demonstrably special to the local community nor does it hold particular local significance. It does not possess particular
beauty, historic significance, recreational value, tranquillity or richness of wildlife. HVI028 is therefore not justified;

NPPF, paragraph 101 dictates that policies for managing development within a Local Green Space should be consistent with those for Green Belts. Development on a Local Green Space would therefore be prohibited except in very special circumstances. In this respect, HVI028 would only serve to restrain sustainable patterns of development within Loddington that (but for Policy NEH3 and HVI028) would accord with the Plan as a whole.

The designation of HVI028 as Local Green Space is based on an assessment that it is "a key open space in the setting of the village and for numerous listed buildings. It provides views to the Grade II Listed Church and creates the rural character for the village". However, in so far as that is correct (which is not admitted), the settings of the listed buildings and of the village as a whole is already afforded sufficient and appropriate statutory protection by virtue of their listing and the designation of the Loddington Conservation Area.

Proposed Actions/Changes

Please explain what changes or actions are needed to make the Local Plan legally compliant.

The deletion of HE1028

Attendance at the examinations hearings

If you are seeking to change the Plan, would you like to attend the examination hearings? Yes

If Yes, please outline the reason(s) why, below.

Examination of whether Policy NEH3 and HVI028 are sound will require consideration of the evidence base which it would assist the Inspector to have presented and explained through oral representations.

Whilst the scope of these representations is limited to HV1028, the matters of principle in relation to consistency with National policy may apply equally to other parcels of land designated in the Plan as Local Green Space. The question of whether National policy has been correctly applied in this case may therefore have much wider implications for the Plan and undermine its soundness.

Notifications

Do you wish to be notified? When the Plan is submitted for independent examination?
. When the Inspector's Report is published?
. When the document is adopted?