

**Response by objector ID6057 in respect of Policy
GI4 – Allocation at River Swift Floodplain
(LGS/Lutt/5)**

ALDT3082

We have noticed that on the LPA's Local Plan Examination Website, a response by the Council has been published to the question raised by the EIP Inspector (ref IC6) in connection with the proposed designation of Local Green Space (LGS) in Lutterworth (ref LGS/Lutt/5). On behalf of the landowner of part of the proposed LGS allocation we request the right to comment on the Council's response.

Since the proposed LGS allocation represents a significant constraint on the ability of the landowner to achieve future beneficial development on this land, potentially in perpetuity, we consider that it is in the interests of the proper planning of the area and of natural justice that the landowner has the opportunity to present the case for objecting to the proposed designation, so that the EIP Inspector has a full understanding of relevant evidence before him when determining whether the proposed allocation is sound.

The criteria set out in the NPPF (para 100) for the designation of Local Green Spaces provide a relatively high hurdle for LPA's to meet. The green space must be "demonstrably special" to a local community and holds a "particular local significance". Furthermore the area should not be "an extensive tract of land". Meeting the criteria in full is important since once designated Local Green Space is intended to be treated, in policy terms, on a similar basis to Green Belt, with strong restrictions on the types of development deemed appropriate within it.

Having reviewed the Council's evidence to support the LGS designation under Policy GI4 we are firmly of the view that it does not meet the required level and standard set out within the para 100 criteria, for the following reasons:

- 1) The proposed designation site possesses no particular qualities in terms of landscape character, or visual attractiveness as is demonstrated by the evidence submitted on behalf of the landowner by Pegasus (Outline Landscape and Visual Appraisal)-objection ref ID6057.
- 2) The surveys conducted by the EA and LRWT are both long in the tooth (2008 and 2009 respectively), are generic in scope and are not specific to this particular part of the River Swift. As such there is no evidence available that the species identified as being generally present (otters, native white crayfish, field voles and "potentially" water voles) are actually present in any of the part of the river which flows through the proposed LGS allocation site. The high level information provided as justification cannot be relied upon and substantive further site specific survey work would be required to determine whether or not there are such species present currently. Moreover, the presence or otherwise of such species does not in itself justify the allocation of such an extensive area of land as LGS at this location.
- 3) The "evidence" relating to the supposed historic link with John Wycliffe is wholly insubstantial and cannot reasonably be given any credence. While the link between Lutterworth and John Wycliffe can be reasonably established, in that there is evidence that he lived in the town towards the end of his life, there is no physical or written evidence to support the contention that his ashes were scattered in the River Swift at any location within the proposed LGS allocation. It is important to note that the evidence on this matter is described as a "verbal response from the Town Clerk". As such, it is not a sufficiently high level of proof to satisfy the stringent criteria set out in para 100 of the NPPF.

- 4) Given the proximity of the proposed LGS site to the M1, the A426 and the A4303, there is no reasonable basis to describe this as a tranquil site. Traffic related noise is evident at any point within the proposed allocation site.
- 5) The extent of the designated public footpath within the LGS site is very restricted. We attach an OS extract which shows the extent of the public footpath passing through the site. This is not an area where there is a high level of access on foot for the local community.
- 6) At 3.6 ha (equivalent to almost 9 football pitches) within the context of this relatively small settlement, we contend that the proposed LGS designation is a significant, extensive tract of land, well beyond the scale envisaged by the NPPF. At Appendix 1 of the LPA's Local Green Space Background Paper (Oct 2015), a summary of the justification for designating each LGS is provided. The subject site is identified as ref LGS/Lutt/5 and is described therein, by the LPA, as "quite a large area of land".
- 7) One of the important requirements of LGS is that it should be consistent with the aim of meeting investment requirements for needed, sustainably located, development (para 99 of the NPPF). It should also be capable of enduring beyond the end of the local plan period. We contend that the designation of this area as LGS will deprive the LPA the opportunity to meet future development requirements for Lutterworth in a highly sustainable location, within walking distance of the existing town centre. Given the lack of evidence to support its designation as LGS, it should be left as white land to enable the full range of options for meeting future development needs to be investigated.

Finally, on a procedural point, paragraph: 019 Reference ID: 37-019-20140306 of the PPG states that "... the local planning authority (in the case of local plan making)...should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space." At Appendix 1 of the LPA's Local Green Space Background Paper (under site ref LGS/Lutt/5) it is confirmed that the landowner had not been contacted and that the designation process "cannot progress". However, by September 2014, the "Advisory Panel" had "requested that this site is determined." The Council evidently decided to proceed with the proposed allocation without contacting the landowner. We can confirm that at no time in the designation process did the Council make direct contact with the landowner regarding this proposed designation.

Aside from any questions that may arise from the above about the Council's approach to the designation, we respectfully request that these representations be given proper consideration at this stage, in the interests of fairness to the landowner.

Turley Office
18 Windsor Place
Cardiff
CF10 3BY

T 029 2034 4445

Turley



Plan showing definitive public footpath within proposed River Swift floodplain Local Green Space.

Source- Ordnance Survey.