

William Rogers  
Hon. Sec. Perranzabuloe Neighbourhood Development Plan  
Email: [comments@perranplan.co.uk](mailto:comments@perranplan.co.uk)

02 June 2023

Dear William,

**Letter of representation to the Proposed Local Green Space Designation at Bolingey Lakes within the current version of the Perranzabuloe Neighbourhood Development Plan**

## Representations

- 1.1. My clients [REDACTED] have forwarded me a copy of a letter they received as hand delivered by Prof. Phil Moore on 23<sup>rd</sup> May 2023.
- 1.2. Prior to receiving this letter my clients had no knowledge of the proposed Local Green Space (LGS) for the land which has been within the ownership of [REDACTED] for over 12 years. We understand it has been suggested that communication has been sent to a [REDACTED] a former part owner of the site regarding the NDP. [REDACTED] has denied this to be the case, and we have been advised that this letter was sent to an address at [REDACTED], which he has not in fact lived in for 14 Years.
- 1.3. Turning to the emerging Neighbourhood Development Plan (NDP) itself, whilst we commend you for the work undertaken on the document so far, my clients wish to formally object to the suggested designation of their site as LGS 4 for the following reasons:
- 1.4. Paragraph 101 of the NPPF sets out that '*Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*'
- 1.5. Further, paragraph 102 of the National Planning Policy Framework (NPPF) explains that:  
*'The Local Green Space designation should only be used where the green space is:*
  - a) in reasonably close proximity to the community it serves;*
  - b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
  - c) local in character and is not an extensive tract of land.'*
- 1.6. The National Planning Practice Guidance (NPPG) explains that '*the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan'* (Ref Paragraph: 019 Reference ID: 37-019-20140306 Revision date: 06 03 2014).
- 1.7. Unfortunately, my clients have not received any earlier communication with regard to the suggested LGS, as they would have liked to have provided our comments/ representations to you at that time.

- 1.8. Having reviewed the supporting report to include the land in the current version of the NDP (a snapshot of which is provided overleaf), we would wish to provide the following points to outline why we consider the land does not qualify as a LGS in line with the requirements of the NPPF.

			wildlife.					
37	Bolingey Lakes	Y	Recreational value. Sports club use.	Y	N 4.1 ha	N	Sports club use. Could qualify as LGS if part of wider lakes green / recreational area, particularly if in public ownership or landowner has no intention of developing the area and if there is public access or community use (and not just fishing membership). Worth enquiring during Plan's development process and consultation. Possibly include for consultation draft. If important to wildlife through habitat, could also designate for that reason. Partly TPO, bridleway to south.	Local Green Space

- 1.9. Having reviewed the supporting report form we do not have any clear evidence as to how the site is *'demonstrably special to a local community and holds a particular local significance.'* As this forms only one part of the basis on which a LGS should *'only be used'*, we thereby submit that the site should not be designated as a LGS, and the associated LGS policies should not apply to the site.
- 1.10. From our view of the assessment, the majority of the suggested inclusion of the site as a LGS relies upon public ownership, public access or community use and no intention develop the area.
- 1.11. The site is not in public ownership, there is no public access or community use (it is a private fishing lake) and there are proposals to develop holiday lodges on the site in association with the existing use for fishing. Further there are no public rights of way running through the site and the site is barely visible from public vantage points.
- 1.12. The reports assessment implies that the suggested LGS is reliant on the above, and would require consultation with the landowners. As we have highlighted, to the best of our knowledge this has not taken place, and certainly not with my clients. As the suggested reasons for the LGS in the report are not representative of the current and future position of my clients, it is thereby suggested that the report itself would recommend the removal of LGS 4.
- 1.13. Nonetheless, and ultimately, my clients land does not meet the tests of a LGS. It is not *'demonstrably special to a local community and holds a particular local significance.'*
- 1.14. To conclude, we are fundamentally of the view that the land fails the criteria for a LGS as set out in the NPPF, and my clients firmly object to the inclusion of this land as a LGS in the NDP.
- 1.15. I trust the above is clear. However, if you need any further clarification or if you wish to discuss further, please do not hesitate to contact me. It would also be appreciated if confirmation of receipt of this letter is provided.

Yours sincerely,

*James Evans*

James Evans