

CRITERIA TO ACCESS COUNCIL OWNED OR CONTROLLED SUITABLE ALTERNATIVE NATURAL GREEN SPACE (SANG)

6 December 2018

1. The allocation of Council owned or controlled SANG will be at the discretion of the Head of Environmental and Technical Services subject to the following:
 - a) The SANG is procured, at commercial rates, through a land transaction outside the planning application process¹; and
 - b) the proposed development is fully policy compliant with either existing or emerging Development Plan policies²³,
2. If the procurement of the SANG transaction would result in the respective planning application exceeding the statutory determination date, then planning permission will be refused and the potential SANG allocation withdrawn.
3. The allocation should reflect the life of the planning permission (one year). If the planning permission expires without being implemented, any SANG contribution received will be refunded⁴ and the mitigation opportunity will be reallocated. There is no assumption that a further SANG allocation would automatically be made available in the event of an application being received to renew an unimplemented planning permission. Allocated SANG cannot be transferred or traded between sites or alternative development proposals.

Unless otherwise agreed because of exceptional circumstances by the Portfolio Holder for Services in consultation with the Chairman of Planning Committee, **NO** Council owned or controlled SANG will be allocated in the following circumstances:

4. The development represents a material departure from the Development Plan.
5. The development does not provide in full 40% affordable homes where required by Saved Local Plan Policy ALT GEN 13 of the Hart Local Plan 1996-2006 (Saved Policies), or Policy H2 of the Hart Local Plan Strategy and Sites 2016-2032 (Submission Version).
6. Proposals that are unlikely to be implemented due to complex land ownership or tenancy issues or which are submitted as part of a valuation exercise (it must otherwise be demonstrated that they would not prevent the delivery of new homes by locking up SANG capacity for extended periods).
7. Unless compliant with Policy ED2 of the Hart Local Plan Strategy and Sites 2016-2032 (Submission Version) no SANG will be allocated for any development that result in the loss of employment land or employment opportunity in strategic or locally important

¹ Unless the Head of Environmental and Technical Services, in consultation with the Joint Chief Executive, determines that the development proposed is of strategic importance to the Council in meeting Corporate Plan objectives and so justifies procurement through a Section 106 Planning Obligation (subject to the limitations in regulation 123(3) of the Community Infrastructure Levy Regulations 2010).

² The Development Plan includes the Saved Policies of the Hart District Local Plan 1996-2006 (Saved Policies), the Hart Local Plan Strategy and Sites 2016 - 2032 (Submission Version) and any relevant Neighbourhood Plan.

³ A SANG allocation will not normally be withheld where on appeal it has been determined that the development proposal would otherwise have been acceptable if it had not been for the absence of a SANG allocation.

⁴ A refund of the SANG fee (excluding any interest accrued and minus an appropriate administration fee) will be made.

employment sites (as defined in the Hart Local Plan Strategy and Sites 2016-2032
(Submission Version)).