

NORTON ST PHILIP PARISH COUNCIL

MENDIP DISTRICT OF THE COUNTY OF SOMERSET

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Jo Milling
Planning Policy Officer
Planning and Growth Group
Mendip District Council

By email

15th February 2018

Dear Ms Milling

Mendip Local Plan Part II: Sites and Policies - Issues and Options Consultation

Norton St Philip Parish Council ('the PC') supports the thrust of MDC's draft submission on LPP2. We appreciate that much of our work with MDC is reflected in that draft. The PC's comments on LPP2 are as follows:

Housing

We are pleased that no change to the Development Limit is proposed. We are also pleased that there are no site allocations for development in Norton St Philip (NSP). This of course reflects the fact that the village has far exceeded the quota set in LPP1 and that further development and changes to this boundary would affect the village's character and would not be sustainable. We support MDC's approach in LPP1 whereby site allocations to meet housing need are in sustainable locations. We note that LPP1 passed examination and was adopted as a sound document on this basis: there is no justification for revisiting this as the housing need is demonstrated to be met elsewhere. The draft submission notes that the minimum requirement for NSP is 45, whereas the total completions between 2006-07 (78) plus commitments and s.106 sites (17) comes to 95. Thus NSP has exceeded the minimum requirement by over 200% with a 35% increase in housing stock since the start of the Plan period in 2006. This is significantly above the proportionate 15% growth for villages such as NSP as set out in LPP1. Accordingly, any housing development would undermine MDC's Spatial Strategy. On this basis we fully support the approach set out in LPP2.

Proposed LGS Designations

As to the ten proposed LGS designations for NSP, the PC has resolved as indicated below:

LGSNSP001 - The Old Hopyard

The PC consider that the criteria set out in para 77 of the NPPF and by MDC in their LGS Paper of Sept 2015 are clearly met in this case. We have also noted the juxtaposition of criteria in para. 1.12 and 1.13 of MDC's December 2017 LPP2 Paper *Designation of Local Green Spaces* in relation to sites protected by other designations. We understand that there are levels of protection in place and that private gardens will only warrant designation in exceptional cases. In *this* case, the PC **resolves** to invite the Inspector to decide whether the appropriate level of protection can be guaranteed by existing protections, in which case we favour exclusion, *or* whether LGS designation adds to, and does not merely duplicate, existing safeguards, in which case we believe that the proposed LGS should stand. In either case, we request the Inspector to explain his/her reasoning.

LGSNSP003 - Great Orchard

The site makes a major contribution to the visual appeal of the conservation area, blending with the surrounding contours. This also applies when looking back towards the village from the north-west. It provides an ideal setting for the surrounding listed buildings, in particular Manor Farm House. It also complements the loose-grained residential character of this corner of the village, and is also important for the richness of its wildlife. Great Orchard is of national historical significance because of its important connection with the Monmouth Rebellion of 1685. The site contributes to the village's rural character and the street scene. The openness of the site is a key feature in the historic development of the village, marking a break between the rural character of the lower village and the more densely built upper village.

In commenting on Planning Application 2013/2217 for proposals to build 33 houses on this site and the adjoining Bell Hill Garage (subsequently refused), MDC's Conservation Officer wrote:

'The site should still be considered as a designated heritage asset through its conservation area status. It is the open and undeveloped nature of the land and the contribution this makes to the Conservation Area and surrounding environment that is being sought to be protected. It is an important green space within the conservation area and makes a significant contribution to the

rural character of this part of the village. It is a prominent site in surrounding views and provides a clear connection between the village, its historic development and wider agricultural surroundings.'

In its comments on this application, English Heritage wrote that *'The area named Great Orchard provides an important green space within the Norton St Philip Conservation Area and plays an important part in creating the rural character that dominates this part of the village. This green space is prominent in views from the north-west of the village and helps to form a rural environment which connects the village with its wider agricultural surroundings and historic development.'*

The PC **resolves** to support LGS designation for this site.

LGSNSP004 - Ringwell Lane

The PC notes that MDC's policy is that only in exceptional circumstances should private gardens be designated as LGS. The two garden areas of the proposed LGS are part of the site which was designated Q2 in 2002 and OALS in 2006. The PC continues to believe that the whole OALS merits LGS designation, as it meets the relevant NPPF and Mendip criteria. This was considered by the Planning Inspector in the Appeal ref Q3305/W/16/3167455 dated 23 May 2017 which related to planning applications on the two gardens on the site. The Inspector noted: 'I have also had regard to where the Framework refers to Local Green Space and the criteria for designating such areas. However, I find no significant conflict between this and the OALS designation relevant to these appeals as this area is, as set out above, of particular local significance for its beauty and tranquillity, which is one of the criteria for Local Green Space designation'. The PC **resolves** to support the proposed LGS designation for this site.

The PC knows that an objection has been raised by the owner of a private garden which is included in the proposed LGS. Should either MDC or the Inspector amend the boundary of the proposed LGS so as to exclude one or both gardens, the PC further **resolves** that that approach would be supported by the PC if that ensured that the rest of the site became a LGS.

LGSNSP 007 and 008 - Fortescue Fields South and West

Since their creation in 2015 the footpaths that cross these two fields (007 and 008) have become part of a circular walk and village amenity, linking Church Mead with the new development at Fortescue Fields and Vicarage Lane. It should be noted that as regards the permissive nature of these footpaths the s.106 of 24/2/11 associated with Planning Permission 2010/0493 obliges the

landowner “to make the footpaths available for use by the public at all times”. The views from these footpaths in all directions are extremely important to the village. They merit LGS protection.

In relation to 008, as to whether planting some 400 Leylandii trees during 2017 could, at some point in the future, minimise the visual relationship between this site and Church Mead - and beyond - the key point is that, *as of now* (the snapshot in time when that visual relationship is to be considered), those very important views are intact. This site has been the subject of an Appeal (APP/Q3305/A/14/2224073) by the landowner against MDC’s refusal of permission to build up to 49 homes. This appeal document is contained in the original submission for LGS. The PC wishes to draw attention to the following comments from the Inspector:

“To my mind, the scale of that harm verges on substantial. There would be corresponding harm to the established character and appearance of the area more generally.”

and

“That is amply demonstrated in the sudden, quintessentially English view out from the George car park and the summit of Bell Hill over the lower slopes, including Church Mead which forms an important visual link between the centre of the village and the countryside beyond. I am in no doubt that the open undeveloped nature of the appeal site has a positive role in the significance of the Conservation Area, allowing for an appreciation and understanding of the historic evolution of Norton St Philip.”

The PC’s support for these two sites, as expressed in its resolution of 2 December 2012 on proposed sites generally, takes account of strong support for LGS status indicated at a public meeting, attended by over 100 people, in NSP on 19 November 2015, and also a village-wide survey in December 2015, to which 45% of village households responded, with 98% in favour of designation. The PC **resolves** to reaffirm its view and support MDC’s proposal that these two sites should be LGS.

LGSNSP010 - Shepherds Mead

Proposed LGS designation received overwhelming support at a public meeting, attended by over 100 people, in NSP on 19 November 2015. The PC took the same view at its meeting on 2 December 2015. Shepherds Mead is part of the rural landscape into which the village fits, thereby enhancing its setting: it is adjacent to the heart of the village. The site, which includes three Public Rights of Way, is also valuable for the richness of its wildlife.

The case for LGS status is captured in MDC's wording on p. 34 of its January 2018 paper
Designation of Local Green Spaces:

'The site is important to the character of the village, and is an open space in an elevated location on the ridge. Its value is in the view it allows out of the area, across the village and open countryside. It also allows views out of the adjacent built up area across the open land.'

The PC **resolves** to support LGS designation for this site.

There are four other sites proposed for LGS designation. These are:

NSPLGS002 Lyde Green

NSPLGS005 Church Green

NSPLGS006 The Churchyard and adjoining paddock. (NB: The owners of the paddock have requested the PC to note their support for LGS designation for the land in their ownership as well as the Churchyard.)

NSPLGS009 Church Mead

The PC does not feel that any further comment is required on these sites and therefore **resolves** to reaffirm its earlier support for LGS designation.

Yours sincerely



Nicola Duke (B.A Hons), MILCM
Parish Clerk
For and on behalf of
Norton St Philip Parish Council