

Email sent by Neighbourhood Plan Secretary to 250+ Parish Residents on 9th February 2024

Dear resident

You may already have received the attached documents concerning possible amendments to the draft Neighbourhood Plan from Nikki Duke, the Parish Clerk. They are to be considered by the PC at its Meeting next Wednesday, 14th February.

As you will probably know, the PC has been caught up in a series of legal actions since 2019, when Lochailort obtained an injunction preventing the Neighbourhood Plan (NP) Referendum from taking place. Following that, the High Court judgment dismissing the claim was overturned by the Court of Appeal who decided in their judgment of 2 October 2020 '*that each of the areas was lawfully designated as an LGS; but that Policy 5, which applies to them once designated, is not consistent with national planning policies for managing development within the Green Belt*'. Soon after this, the PC disputed the Mendip Local Plan Inspector's proposal that 505 houses should be allocated in the NE of Mendip including the villages of NSP, Beckington and Rode. Despite the efforts of the PCs and residents, Mendip took the decision to adopt the Inspector's recommendation. NSP PC then commenced a -successful - legal action. Following this, Lochailort went back to the High Court challenging the decision to revert the Mackley Lane site to "open countryside". This action was unsuccessful and Somerset Council have this week published a list of sites allocated for the '505'. These do not include any of the District's rural villages other than Coleford, where a previously permitted site has been allocated.

For all of this time, the NP process was effectively dormant. Following the Judgment in its favour and because of the significant amount of time since the previous Consultations, the PC decided to restart the NP and hold a fresh Consultation. This ran for 6 weeks in May/June 2023. Responses from parish residents were in the main supportive of the draft plan. There were however strong objections from some of the private landowners of the proposed Local Green Spaces. The objections cited (inter alia) lack of consultation, insufficient evidence and inconsistency with the Local Plan.

The PC is left with three choices; i)continue with the Plan as drafted, ii)make material amendments or iii)shelve the Plan with the possibility of starting over at some point in the future. Should it decide to proceed with the plan as drafted there will inevitably be delays and potentially more legal challenges which will cause yet more delays. With material amendments which reflect the objections raised mainly by landowners the Plan could proceed and be subject to a further public consultation. Shelving the plan would mean shelving all the NP's policies and the efforts of the past 7 years would be in vain.

As you will see from the attached documents, the PC is proposing to delete the Policy allocating ten sites as Local Green Spaces. Some sites which have

not been objected to by their owners could have remained in the Plan (Church Mead, Churchyard and adjoining paddock, Church Green and Lyde Green) but the PC considers these are adequately protected by reason of their ownership and setting.

6 of the 10 proposed Local Green Spaces already have a level of protection through their being “Open Areas of Local Significance”. Since last February, all 10 are also designated as Greenspace under a Mendip “Supplementary Planning Document” which recognises the green spaces that contribute to the village’s green infrastructure. This designation also includes a further 5 greenspaces not previously proposed as Local Green Space; the school playground, the garden of the Old Malthouse cottage, the village green on Shepherds Mead, the Mackley/Laverton Triangle and the scrubland to the north of Chevers Lane.

The PC proposes to include 2 new Policies in the amended Plan. One will draw on the OALS/Greenspace designations and seek to protect and where possible improve the village’s green infrastructure. The other will commit the PC to monitoring both local and national planning policy and reviewing the plan if necessary. The other Policies will remain; Policy 1 which protects the settlement boundary; Policy 2 which allocates the Bell Hill Garage site; Policy 3 which allows for limited Exception Sites, Policy 4 which (together with the NP’s associated Character Assessment) sets criteria for design and Policy 6 which addresses climate change, biodiversity and low carbon development. These amendments will be discussed at the PC Meeting next Wednesday (14th) at 7pm in the Palairret Hall. Please do come if you have any questions ; as usual the meeting will start with a public participation session. As previously mentioned, any amendments will be subject to a further round of public consultation; further amendments are possible following that exercise.

Best

George Hitchins

Neighbourhood Plan Secretary