



JEFFREYS & POWELL

Solicitors
(Established 1901)

Our ref. JA.CW.25270
Your ref.
Date. 19th February 2018

4, Lion Street,
Brecon,
Powys
LD3 7AU

Tel: 01874 622106
Fax: 01874 623702
Dx: 200350 Brecon

Neighbourhood Planning Team
Herefordshire Council
Planning Services
Plough Lane
PO Box 230
HR1 2ZB

S.C. Morris LL.B. (Wales)
C.J. Morris*

Assistant Solicitors
J.F.R. Anderson LL.B. (Wales)
F. Lyon LL.B. (Wales)
V.M. Lewis LL.B. (Wales)

By Email: neighbourhoodplanning@herefordshire.gov.uk
sbanks@herefordshire.gov.uk

Dear Sirs,

Shuker's Field (also known as Land to the South of Chapel Lane, Bodenham)

We act from Messrs E & J Bevan the landowners of 'Shuker's Field' (also known as Land to the South of Chapel Lane), Bodenham, I wish to place on record a serious objection to the Bodenham Neighbourhood Development Plan (November 2017) following the Regulation 16 plan stage.

The Landowners have not been contacted by the Neighbourhood Plan Group to discuss the proposals for their land and strongly object to the proposed designation of their privately-owned site as Local Green Space in the submitted Neighbourhood Plan (NP). The Landowners contend that the Basic Conditions for a NP have not been met and that the NP has not met its legal requirements in terms of publicity and consultation.

National Planning Policy Guidance (NPPG) confirms that

A Local Green Space does not need to be in public ownership. However, 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



Society of Trust &
Estate Practitioners

Authorised and
Regulated by
the Solicitors
Regulation
Authority

Registration No.
597602

* Non-Lawyer

Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.

My clients have not received any direct contact at any stage from the Parish Council in respect of the proposal to allocate their privately owned land as Local Green Space. The Examiner will be aware that the site is the subject of an Agreement with Bovis Homes, who have historically sought to promote the site for residential development. Bovis Homes' consultants, Walsingham Planning have pro-actively made representations setting out why the site is not suitable for designation as Local Green Space, but neither my clients or Bovis Homes have been approached by the Parish Council to discuss the proposal and its objectives.

NPPG confirms that

Management of land designated as Local Green Space will remain the responsibility of its owner. If the features that make a green area special and locally significant are to be conserved, how it will be managed in the future is likely to be an important consideration. Local communities can consider how, with the landowner's agreement, they might be able to get involved, perhaps in partnership with interested organisations that can provide advice or resources.

My clients have not received any direct contact at any stage from the Parish Council in respect of the proposal to allocate their privately owned land as Local Green Space. The Examiner will be aware that the site is the subject of an Agreement with Bovis Homes, who have historically sought to promote the site for residential development. Bovis Homes' consultants, Walsingham Planning have pro-actively made representations setting out why the site is not suitable for designation as Local Green Space, but neither my clients or Bovis Homes have been approached by the Parish Council to discuss the proposal and its objectives.

NPPG confirms that

Management of land designated as Local Green Space will remain the responsibility of its owner. If the features that make a green area special and locally significant are to be conserved, how it will be managed in the future is likely to be an important consideration. Local communities can consider how, with the landowner's agreement, they might be able to get involved, perhaps in partnership with interested organisations that can provide advice or resources.

My clients have not received any direct contact from the Parish Council, and wish to reiterate that the land is part of a productive and viable farming operation. The site is in private ownership and there are no public rights of way that cross the site. It is our understanding that a LGS designation does not in itself confer any additional rights of public access, and that these would be a matter for separate negotiation with the landowners, whose legal rights must be respected. As set out above, there has been no contact made

with the Landowners in this, or any, regard. The nature of the farming operation is such that no additional rights are appropriate nor will be considered.

It is for the above reasons that the Landowner of Shuker's Field object to the proposed designation of the site as Local Green Space in the submitted Bodenham Neighbourhood Plan and request that the Inspector removes the Proposed Designation as Local Green Space.

Kindly acknowledge safe receipt of this letter.



LATE REPRESENTATION