

# **North Somerset Council**

## **Report to The Executive**

**Date of Meeting: 23 June 2021**

**Subject of Report: Abbots Leigh, Ham Green, Pill And Easton-In-Gordano Neighbourhood Plan**

**Town or Parish: Abbots Leigh and Pill & Easton-In-Gordano**

**Officer/Member Presenting: Executive Member for Place**

**Key: Yes**

**Reason: It affects more than one ward in North Somerset**

## **RECOMMENDATIONS**

1. To accept the Examiners modifications to the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan as set out in the appendix to this report and resolve that with those modifications the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan meets the basic conditions, is compatible with Convention rights and complies with the definition of a neighbourhood development plan and should therefore proceed to referendum; the referendum are will be the Neighbourhood Plan area, and
2. The Director of Place is authorised to make the necessary arrangements for the Referendum which will be held in the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano neighbourhood plan area.

### **1. SUMMARY OF REPORT**

- 1.1 The Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Development Plan (NDP) has been tested through independent examination. Following consideration of the Examiner's Report, North Somerset Council must come to a formal decision as to whether the Plan meets the necessary basic conditions and other provisions in order to go forward to referendum.
- 1.2 The Examiner has concluded that a number of modifications (some quite significant) are required in order that the Plan meets the necessary 'basic conditions'. It is recommended that these are accepted and that the Executive resolve that with the modifications set out in the appendix to this report the Plan meets the conditions and provisions in order for it to proceed to referendum.

### **2. POLICY**

- 2.1 A Neighbourhood Plan is prepared by the local community (with help and advice from North Somerset Council and other bodies as necessary). If it secures a majority

'yes' vote at the referendum (more than 50% of the votes in favour) then North Somerset Council will subsequently 'make' the Plan. It will then have the status of a development plan document and will be used alongside the North Somerset Core Strategy, Site Allocations Plan and Development Management Plan. Where relevant policies exist in the Neighbourhood Plan they will take precedence over the North Somerset Development Management Plan policies within the area covered by the NDP.

- 2.2 The Abbots Leigh, Ham Green, Pill and Easton-in-Gordano NDP (like the Development Management Plan and Site Allocations Plan) sits under the strategic policies contained in the North Somerset Council Core Strategy and the time period of the Plan is aligned to the Core Strategy time period of 2026.
- 2.3 Because the Neighbourhood Plan covers the same time period as the Core Strategy, it will be superseded by the Local Plan 2038 when this is adopted in 2023.
- 2.4 If Executive agree that the Plan meets the necessary conditions to go to referendum then it will have due weight in decision making on planning applications from that point. It does not formally become part of the North Somerset Development Plan however until it has passed the referendum and then subsequently been "made" by the Council.

### **3. DETAILS**

- 3.1 The area covered by this Neighbourhood Plan is the combined parishes of Abbots Leigh and Pill & Easton-in-Gordano
- 3.2 The draft Plan was submitted to North Somerset Council for independent Examination on 20 November 2020. North Somerset Council then organised a period of consultation (submission consultation) before submitting the plan, supporting documents and consultation responses (including North Somerset Council's comments on the Plan considered by Executive on 9 December) to an independent Examiner for examination.

#### **Role of the Examiner**

- 3.3 Mr Andrew Ashcroft was appointed as independent Examiner and he issued his report on 14 May.
- 3.4 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the 'basic conditions' as set out in law following the Localism Act 2011. The Examiner cannot consider other matters. In order to meet the basic conditions, the Plan must:
  - have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan for the area;
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

- 3.5 The Examiner also must decide whether it meets other provisions under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990; this includes
- confirming that the plan identifies a time period,
  - the Parish Council is the correct body to prepare the plan, and
  - it contains policies for the development and use of land and does not include excluded development.

Mr Ashcroft has concluded that the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan meets these provisions.

- 3.6 The Examiner can make one of three recommendations:

1. that the Neighbourhood Plan should proceed to Referendum as it is, on the basis that it meets all legal requirements;
2. that the Neighbourhood Plan, as modified, should proceed to Referendum;
3. that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

Mr Ashcroft has concluded in line with 2 above, namely that provided his recommended modifications are made the Plan will meet the basic conditions and can go forward to referendum. He has also stated that the referendum area should be the neighbourhood area covered by the Neighbourhood Plan (i.e. the area of the combined parishes of Abbots Leigh and Pill & Easton-in-Gordano).

#### **North Somerset Council's role**

- 3.7 Although the Independent Examiner's role is to assess the acceptability of the Plan and make recommendations, the responsibility falls to North Somerset Council to formally decide whether the Plan meets the basic conditions and other requirements (paragraph 12(4) Schedule 4B of the Town and Country Planning Act 1990 as amended by the Localism Act 2011) and can therefore be recommended to go forward to a referendum. The Examiner has concluded that a number of modifications are necessary for the Plan to meet the basic conditions. These range from relatively minor modifications to improve clarity, to significant changes such as the deletion of a number of policies which did not meet the basic conditions.

- 3.8 North Somerset Council must now consider each of the Examiners recommendations (and reasons) and decide whether to accept the modifications. The only modifications which the Council can make are:

- to ensure the Plan meets the basic conditions
- to make it compatible with EU Convention Rights
- to comply with the definition of a neighbourhood development plan and the provisions that can be made by a neighbourhood development plan
- to set a time period for the plan
- to correct errors

If North Somerset Council is satisfied that the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano NDP can meet these conditions and provisions if modified, then a referendum must be held. The referendum is arranged by North Somerset Council and must be held within 56 working days of the decision to hold the referendum. To avoid the main holiday season this means the referendum will take place in September.

- 3.9 Were the Council to decide not to accept an Examiner's modification and come to a different conclusion because of new evidence, or because it takes a different view of a certain fact, then it is necessary to undertake a further period of consultation with the possibility of holding another Examination. This course is therefore not to be undertaken lightly. The table of modifications is appended to this report, with the recommendation that Executive agree each of them.

### **The Examiners report and outcomes**

- 3.10 Although Mr Ashcroft has recommended modifications to many of the policies in the way of rewording, this is to aid clarity so that the policies can operate effectively and as intended having regard to the National Planning Policy Framework (NPPF). Notable modifications include:-
- Deletion site allocation HOU1 Site A Orchard House Ham Green and replacement with a criteria based policy
  - Deletion of policy HOU2 Site B affordable housing exceptions site Ham Green as he considered it inappropriate for the neighbourhood plan policy to allocate a specific exception to national Green Belt policy. This is especially so given the lack of details to assess its impact on Green Belt at the time the policy was developed.
- 3.11 A number of policies are recommended to be deleted because they are not implementable such as **HO5** offsite contributions, **HO6** residential conversion of outbuildings and **T3** electric vehicles.
- 3.12 Others are to be deleted and replaced with a community action such as **T5** Passenger rail services, **Env3** rewilding and **Her2** Conservation Area for Abbots Leigh. These will become actions for the community to progress rather than being factors to consider in planning decision making.
- 3.13 Modifications have been suggested to many other policies in line with the requirements of the NPPF and to make them more effective and appropriate to be used in decision making on planning applications. All of these are detailed on the appended table.
- 3.14 A number of consequential modifications will be needed to achieve consistency and these have not all been all detailed by the Examiner or included on the appended schedule. However, the plan will be modified in accordance with these prior to the necessary material being published for the referendum.
- 3.15 It is concluded that all of the modifications should be accepted in order to meet the basic conditions and that Executive determine that the plan is passed to referendum. It is North Somerset Council's responsibility to arrange the referendum based on the modified plan. The referendum area will be the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan area as recommended by Mr Ashcroft.

## **4. CONSULTATION**

- 4.1 The Neighbourhood Plan Regulations 2012 require that a formal period of consultation is carried out by the parish council in the preparation of the NDP (known as Regulation 14 consultation). This was carried out and as required a consultation statement detailing this was submitted to North Somerset Councils with the Neighbourhood Plan.

- 4.2 It is also a requirement under Regulation 16 that North Somerset Council undertake a period of consultation on the submitted plan and accompanying documents. This was carried out from 1 February to Monday 15 March 2021. All responses received were forwarded to Mr Ashcroft for consideration as part of the Examination.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 Government provides funding by way of a Neighbourhood Planning Grant to help Local Planning Authorities (LPAs) meet their legislative duties in relation to neighbourhood planning. Specifically, it covers the neighbourhood planning duties introduced by the Localism Act 2011 which are to provide advice or assistance; to hold an examination; and to make arrangements for a referendum. As such £20k can be claimed in retrospect once a Local Planning Authority has made the decision to hold a referendum on the Neighbourhood Plan. This is done through the government's DELTA claims system.
- 5.2 There are no ongoing financial implications. The Neighbourhood Development Plan does not commit council resources in order to implement the plan's provisions.

## **6. LEGAL POWERS AND IMPLICATIONS**

- 6.1 There is a duty on the Council to assist the Neighbourhood Plan making process and the procedure is set out in Schedule 4B of the 1990 Town and Country Planning Act (as amended) and Neighbourhood Planning (General) Regulations 2012, and Town and Country Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 7.1 The Neighbourhood Development Plan contains policies and community actions to help tackle climate change at the local Neighbourhood Development Plan area.

## **8. RISK MANAGEMENT**

- 8.1 The Plan with modifications is considered to meet the necessary basic conditions and therefore it must be passed to referendum. The only circumstance in which this would not take place would be if the Parish Councils as Qualifying Body made a decision to withdraw the plan.

## **9. EQUALITY IMPLICATIONS**

- 9.1 The Neighbourhood Plan is considered to have met the necessary Human Rights Articles and it is not considered that there are any equality impact considerations arising from the Plan.

## **10. CORPORATE IMPLICATIONS**

- 10.1 There are no direct corporate implications.

## **11. OPTIONS CONSIDERED**

- 11.1 As the plan is considered to meet the necessary basic conditions and other provisions, the only option is for North Somerset Council to organise a referendum. The referendum must take place within 56 working days of the published decision, unless the Parish Council agrees to an alternative date.

### **AUTHOR**

Celia Dring Principal Planning Policy Officer 01934 426244

### **BACKGROUND PAPERS**

[Examiners Report for the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan](#)

[Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan \(as submitted for examination\)](#)

## Appendix

### List of inspectors proposed modifications and North Somerset Councils response

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
End of section 5.5 as separate paragraphs	7.17	<p><i>Insert at the end of Section 5.5 as separate paragraphs:</i></p> <p><i>'The three scenarios have been used to inform the policies in the submitted Plan. Given that the North Somerset Local Plan 2023-2038 is at an early stage it is impractical to identify longer-term growth requirements with any degree of confidence. Similarly, the neighbourhood plan recognises that strategic nature of growth in North Somerset is a matter for North Somerset Council and not for the parish councils.</i></p> <p><i>The three scenarios have no formal status that would affect development management up to 2026. This is reflected in the relatively short Plan period (2020 to 2026) of the neighbourhood plan. Nevertheless, they have been used as a basis to inform development which could take up to 2026 on the basis of the current development plan. Each of the three scenarios has the potential to contribute towards longer-term development in the Local Plan period. In any event Section 2 of the submitted Plan makes a clear commitment to review</i></p>	To clarify the intention that the three growth scenarios are included only as background information rather than a strategy for development within the neighbourhood plan.	<p>Agree with examiners reasoning.</p> <p>Insert the explanatory text as given.</p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
		<i>the neighbourhood plan following the adoption of the Local Plan. Such an updated/ revised neighbourhood plan would need to address the basic conditions as applicable to the neighbourhood area at that time'</i>		
<b>Housing</b>				
<b>Policy HO 1</b> Site A (Orchard View) for care home and thirty houses	7.18	<p><b>Replace the policy with: 'Proposals for the development of Site A (Orchard View as shown on Map 5) for a care home and thirty houses will be supported where the development:</b></p> <ul style="list-style-type: none"> <li>• <b>would not have a greater impact on the openness of the Green Belt than the existing development;</b></li> <li>• <b>would provide satisfactory pedestrian and vehicular access;</b></li> <li>• <b>would relate in height, scale and massing to the commercial buildings to the north and east and to the residential buildings to the south and west;</b> and</li> <li>• <b>would not have an unacceptable impact on</b></li> </ul>	In the round proposals for exception sites in the Green Belt are exceptions to national and local policy. An assessment therefore needs to be made (and is absent from the supporting information to the policy) of whether the impact on the openness of the GB exceeds the existing impact. The policy should be rephrased as support for the proposed uses provided there is no greater impact on the openness of the GB.	Accept the examiners reasoning.  <b>Make the necessary policy text changes.</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
		<b>the amenities of the residential properties in the immediate locality.</b>		
<b>Policy HO 2</b> Site B (Chapel pill Lane) as an exception site for 16 affordable houses	7.22 -7.34	Delete the policy.	Inappropriate for the neighbourhood plan to allocate a specific exception site especially given the lack of details to assess impact on GB.	Accept the examiners reasoning that the neighbourhood plan should not be allocating this site as an exception to national policy.  <b>Delete policy.</b>
	7.22-7.34	<p><i>In Section 5.6 of the Plan:</i></p> <ul style="list-style-type: none"> <li>• <i>At the end of the paragraph beginning ‘Chapel Pill Lane was well located’ add ‘This proposal has been developed into a planning application and will be determined by North Somerset Council in due course’</i></li> <li>• <i>Replace ‘For the period to 2026, therefore, the Plan allocates two new development sites in Ham Green which would offering a further forty (40) new dwellings in the Plan Area by 2026 (see map 4):’</i></li> </ul>	Inappropriate for the neighbourhood plan to allocate a specific exception site especially given the lack of details to assess impact on GB.	Accept the examiners reasoning that the neighbourhood plan should not be allocating this site as an exception to national policy.  <b>Delete supporting text in section 5.6</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
		<p><i>with ‘For the period to 2026, therefore, the Plan supports the development of Land at Orchard View in Ham Green which would offer a further thirty new dwellings in the Plan Area by 2026. This policy approach is associated with the development of a care home on the site (see map 4).’</i></p> <ul style="list-style-type: none"> <li>• <i>Delete ‘AFFORDABLE HOUSING: A one-and a-half-acre exception scheme of up to sixteen (16) affordable housing units to rent on Chapel Pill Lane in the Green Belt (proposed by the Pill and District Community Land Trust)’</i></li> <li>• <i>Replace ‘Both these sites lie within Ham Green (see Map 4)’ with ‘The site lies within Ham Green (see Map 4)’</i></li> </ul>		
	7.22 -7.34	<i>On Map 4 remove the reference to Chapel Pill Lane.</i>	Inappropriate for the neighbourhood plan to allocate a specific exception site especially	Accept the examiners reasoning that the neighbourhood plan should not be allocating this site

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			given the lack of details to assess impact on GB.	as an exception to national policy.  <b>Delete map 4 reference to Chapel Pill Lane</b>
	7.22 -7.34	<i>Delete Section 5.8 of the Plan and Map 6.</i>	Inappropriate for a neighbourhood plan policy to allocate a specific exception site especially given the lack of details to assess impact on GB.	Accept the examiners reasoning that the neighbourhood plan should not be allocating this site as an exception to national policy.  <b>Delete supporting text and map 6</b>
<b>HO3</b> Energy assessment for new development	7.35	Reword the policy <b>Proposals for new residential development should incorporate the relevant details of Policy DM2 of the Sites and Policies Plan Part 1</b>	Ministerial Statement March 2015 does not support any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. The matter is already covered in Site Allocations Plan policy DM2	Accept examiners conclusions  <b>Replace with examiners wording</b>
<b>HO4</b> Infill development	7.38	Reword policy <b>Infill development which is in keeping with local scale and character will be supported within the Pill Settlement boundary'</b>	Modifications required to meet the clarity required by the NPPF	Accept the examiners modification and reasoning.  <b>Replace with examiners wording</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
<b>HO5</b> Offsite sustainability contributions	7.40	Delete policy	Whilst the ambitions of the policy are well-intended its approach may be beyond the ability of a developer through ownership issues and constraints. In any event the policy does not provide any certainty about the scale and nature of the proposals involved and the extent of the 'surrounding environment'.	Agree with Examiners conclusions and reasoning.  <b>Delete policy</b>
<b>HO6</b> Residential conversion of outbuildings	7.42	Delete the policy	The ancillary residential use of outbuildings within a curtilage is permitted development and to restrict the use would require an Article 4 direction outside of the scope of a neighbourhood plan. Use as a separate dwelling would require planning consent and fall to be judged under existing policies. As such the intention of the policy is already addressed through existing development plan policies.	Agree with Examiners conclusions and reasoning  <b>Delete policy</b>
<b>Transport and movement</b>				

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
T1 Location of new development	7.44	<p><b>Replace the policy with:</b></p> <p><b>‘New development which integrates with well-provided and regular public bus or rail infrastructure and service provision and minimise traffic congestion and air pollution will be particularly supported’</b></p>	<p>Potential conflict with policy HO4 which generally allows development within the settlement boundary. However significant elements of the Pill/Easton/Ham Green</p>	<p>Agree with Examiners reasoning and conclusions</p> <p><b>Replace policy with examiners wording</b></p>
T2 Rights of way and pathways	7.47	<p><b>Replace the policy with:</b></p> <p><b>‘Development proposals should protect public rights of way and pathways (and those around The Bottoms, Martcombe, Chapel Pill and Ham Green in particular) and, where practicable, enhance their condition and accessibility to users’</b></p>	<p>The supporting text justifies a policy to protect and enhance public rights of way, however as written it does not relate to the development management process.</p>	<p>Agree with examiners conclusion and reasoning.</p> <p><b>Replace policy with examiners wording.</b></p>
T3 Electric vehicles	7.49	<p><b>Delete the policy</b></p> <p>Include an additional sentence within the supporting text at the end of section 6.4  <i>“These figures for method of travel will change first as a consequence of more home-working and secondly as a consequence of the growing use of electric vehicles”</i></p>	<p>Policy reads as a process requirement rather than a land use policy and does not provide any clarity for the determination of planning applications. The suggested additional sentences in response to the clarification note by the PC should be incorporated into the supporting text.</p>	<p>Agree with the examiners’ conclusions and reasoning.</p> <p><b>Delete policy</b></p> <p><b>Include additional sentence in supporting text as examiners recommendation</b></p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
<p><b>T4</b> Protection and safety of cyclists in improvement areas 3 and 4</p>		<p><b>Replace the policy with:</b>  <b>‘Where it is practicable to do so, development proposals affecting Improvement Areas 3 (Abbots Leigh) and 4 (Pill Precinct) should incorporate measures for the protection and safety of pedestrians and cyclists which are appropriate to their scale, nature and location’</b></p>	<p>This policy has a general effect and will be an important consideration in determining planning applications in these locations. Nevertheless, I recommend that the policy is modified so that it takes account of the scale and nature of the proposals concerned and the practicability of incorporating the measures included in the policy into development proposals. This will bring the clarity required by the NPPF for the development management process.</p>	<p>Agree with the examiners’ conclusions and reasoning.</p> <p><b>Modify policy</b></p>
<p><b>T5</b> Passenger rail service implications</p>	<p>7.55</p>	<p>Delete the policy  Add a new community action to read  <i>“The Parish Council will work with Metro West and North Somerset Council to develop a strategy to monitor and respond to the implications of the re-opening of the Pill railway station (including traffic, parking, the impact on local business and residential amenity)”</i></p>	<p>The policy seeks to look towards the future impacts of the reopening if the railway station. However, the station is not yet re-opened and it would be both impractical and unreasonable at this stage to expect development proposals to take account of any potential impacts of the opening of the station</p>	<p>Accept Examiners conclusions and reasoning.</p> <p><b>Delete policy</b></p> <p>Add a new community action as stated by examiner.</p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			<p>on residential amenity in the immediate locality. In its response to the clarification note the parish councils acknowledged that circumstances have now moved on and suggest that the policy is replaced by a community action. I recommend this course of action with some modifications to its detail.</p>	
<b>T6</b> Walking and cycling	7.59	<p><b>Replace the policy with: ‘New development which are designed to encourage walking and cycling to work (including journeys to school) and to ensure access to local retail and public services in Pill will be particularly supported’</b></p>	<p>The intention of the policy is self-evident. However, it has the ability to conflict with Policy HO4 which offers more general support to new residential development within the Pill settlement boundary. In any event significant elements of the Pill/Easton/HamGreen area are within convenient walking distance of retail and public services.</p>	<p>Accept examiners reasoning and conclusions</p> <p><b>Reword policy</b></p>
<b>7 Landscape, environment and biodiversity</b>				
<b>Env1</b> Protection of landscape	7.62	<p><b>Delete the words “the Green Belt”</b></p>	<p>As submitted the policy conflates Green Belt issues (which relate the</p>	<p>Agree with examiners reasoning and</p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			openness of land) with landscape sensitivity issues in the Crockerne Drive/Brookside area. In order to remedy this matter, I recommend that the reference to the wider Green Belt issue is removed from the policy. This will allow its focus to be on landscape sensitivity issues. In any event the control of development in the Green Belt is already addressed in national and local planning policies.	conclusions. <b>Modify policy</b>
<b>Env2</b> Protection of salt marshes and foreshore	7.64	<b>Replace the policy with: ‘Development proposals should protect and where practicable enhance the environment and wildlife (especially the salt marshes and the inter-tidal shore) of Royal Portbury Dock’</b>	Modify wording for clarity and to ensure it relates to the development management process	Agree with examiners reasoning and wording. <b>Modify policy</b>
<b>Env3</b> Rewilding	7.66	Delete policy and replace with a community action to read <i>‘The parish councils will work with landowners and developers to ensure that areas for rewilding, plant native trees, shrubs, margins and flowering plants are incorporated into development proposals, that the diversity of hedges</i>	In the response to the clarification note the parish councils agreed that the policy should become a community action. Changes to the wording are necessary so it properly describes the	Agree with examiners reasoning and conclusions <b>Delete policy</b>  <b>Replace with a Community Action</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
		<i>and verges is safeguarded, and to ensure that grasslands are allowed to develop as wild flower meadows'</i>	work which the councils will undertake.	
<b>Heritage</b>				
<b>Her1</b>	7.68	<b>Replace the policy with: 'The design of new development and/or extensions of existing development should take account of the significance and setting of any heritage assets in the immediate locality'</b>	As submitted, all development proposals will need to be in sympathy with a surrounding historic environment. However, this will not be the case in certain parts of the neighbourhood area. The modification address this matter which refers both to heritage assets and to the immediate locality of the site concerned. An additional modification is necessary in order to have regard to national policy which refers to the 'significance' of heritage assets rather than 'distinctiveness'.	Agree with examiners reasoning and conclusions  <b>Modify policy</b>
<b>Her2</b> Conservation area in Abbots Leigh	7.70	Delete policy and replace with a community action  <i>'CA/Her1: North Somerset Council and Abbots Leigh Parish Council will explore the appropriateness of designating a conservation area in Abbots Leigh'</i>	The designation of conservation areas is a matter for NSC rather than Abbots Leigh Parish Council and is one which would need to be considered under separate	Agree with examiners reasoning and conclusions  <b>Delete policy</b>  <b>Add a community action as examiners wording</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			legislation rather than within the neighbourhood plan.	
Economy and Employment				
<b>Emp1</b> Conversion and extension of domestic buildings for home working	7.72	<b>Replace the policy with:-  ‘Proposals for the conversion, extension or improvement of domestic buildings (including digital infrastructure) to facilitate home working will be supported’</b>	Modifications are necessary so that it has the clarity required by the NPPF and specifically relates to the development management process.	Agree with examiners reasoning and conclusions.  <b>Modify policy</b>
<b>Emp2</b> Conversion of redundant buildings	7.75	<b>Replace the policy with:  ‘Proposals for the conversion and re-use of redundant buildings (including vacant or under-used agricultural buildings) for workshops or small businesses development will be supported’</b>	Modifications to wording so that it has the clarity required by the NPPF and specifically relates to the development management process. Otherwise, it meets the basic conditions	Agree with examiners reasoning and conclusions  <b>Modify policy</b>
<b>Emp3</b> Local start-up businesses	7.77	<b>Replace the policy with:  ‘Proposals which create space for local start-up business, working hubs or internet hot-desking will be supported’</b>	Modifications to wording so that it has the clarity required by the NPPF and specifically relates to the development management process. Otherwise, it meets the basic conditions	Agree with examiners reasoning and conclusions  <b>Modify policy</b>
<b>EMP4</b> Support for tourism proposals	7.79	<b>Replace the policy with:</b>	Modifications to wording so that it has the clarity required by the NPPF and	Agree with examiners reasoning and conclusions

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
		<p><b>‘Proposals for visitor or tourist attractions and which would create local job opportunities will be supported’</b></p>	<p>specifically relates to the development management process. Otherwise, it meets the basic conditions</p>	<p><b>Modify policy</b></p>
<p><b>Emp5</b> Protection of business/village centre uses</p>	<p>7.81</p>	<p><b>Replace the policy with:</b></p> <p><b>‘Changes of use from use Class E in the Pill Precinct (as shown on Map inset number) will not be supported. Development proposals which would detract from the economic vitality and the availability of employment opportunities in the Eden Business Park and the Old Brewery (as shown on Map inset numbers) will not be supported’</b></p> <p><i>Incorporate additional Maps into the Plan to identify the Pill Precinct, the Eden Business Park and the Old Brewery</i></p>	<p>Class E uses would comfortably capture the range of uses currently available in the Pill Precinct. However, the Eden Business Park and the Old Brewery are more focused on business and commercial uses. In these circumstances the policy approach should be more general and seek to safeguard employment opportunities. In order to bring the necessary clarity for a development plan policy the three areas affected by the policy should be shown on additional maps in the Plan.</p>	<p>Agree with examiners reasoning and conclusions</p> <p><b>Modify policy; and include new maps to show the areas of the Pill Precinct, Old Brewery and Eden Business Park which relate to this policy</b></p>
<p><b>Emp6</b> Support for employment redevelopment at Orchard View</p>	<p>7.84</p>	<p><b>Delete Policy</b></p>	<p>This policy overlaps with Policy HO1. In effect Policy Emp6 welcomes the economic benefits which would arise from the development of a care</p>	<p>Agree with Examiners reasoning and conclusions.</p> <p><b>Delete policy</b></p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			<p>home and new houses on the site. However, this is an economic consequence rather than a policy. The existing supporting text in Section 9.4 of the Plan which addresses this matter is unaffected by this recommended modification as it explains the economic benefits of the proposed HO1 development in a factual way</p>	
<b>Emp7</b> Upgrading of digital technology	7.86	<p><b>Replace the policy with:</b></p> <p><b>‘Proposals for the upgrading of digital technology and which take account of the character of the immediate area in which they are located will be supported’</b></p>	<p>Clarity required to conform to NPPF. Given the range of potential digital technology proposals which may come forward in the Plan period (including telecommunications equipment) I also recommend that the policy ensures that proposals take account of the character of the area within which they are located. Otherwise, it meets the basic conditions</p>	<p>Agree with Examiners reasoning and conclusions.</p> <p><b>Modify policy</b></p>
<b>10 Climate emergency</b>				

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
<b>CC1</b> Carbon capture and biodiversity	7.88	<p><b>Replace the policy with:</b></p> <p><b>‘Insofar as planning permission is required development proposals which would enhance carbon capture and ecological biodiversity will be supported’</b></p>	<p>Recommend detailed modifications to its wording so that it has the clarity required by the NPPF and specifically relates to the development management process. Otherwise, it meets the basic conditions</p>	<p>Agree with Examiners reasoning and conclusions.</p> <p><b>Modify policy</b></p>
<b>CC2</b> Renewable energy in new housing developments	7.92	<p><b>Replace the policy with:</b></p> <p><b>‘As appropriate to their scale, nature and location development proposals for new housing, extensions to dwellings or business premises should be designed to generate as much of their energy from renewable sources as is practicable’</b></p>	<p>I recommend detailed modifications to its wording so that it has the clarity required by the NPPF and specifically relates to the development management process. In particular the recommended modification takes account of the scale of the project concerned and the feasibility of its ability to generate its power from renewable sources. Otherwise, it meets the basic conditions.</p>	<p>Agree with Examiners reasoning and conclusions.</p> <p><b>Modify policy</b></p>
CC3	7.94	<p><b>Replace the policy with:</b></p> <p><b>‘Development proposals should ensure that any external lighting minimises light pollution’</b></p>	<p>Recommend detailed modifications to its wording so that it has the clarity required by the NPPF and specifically relates to the development management process. I also recommend that it relates to external lighting as internal lighting</p>	<p>Agree with Examiners reasoning and conclusions.</p> <p><b>Modify policy</b></p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			is not controlled through planning legislation. Otherwise, it meets the basic conditions.	
CC4 Investigation of wind turbines	7.96	<b>Delete the policy and reposition as a community action</b>	Policy does not identify suitable parts of the neighbourhood area within which such development should take place. In these circumstances it has not been possible for the sector and local residents to comment accordingly. As such I recommend that the policy is deleted and repositioned as a Community Action.	Agree with Examiners reasoning and conclusions.  <b>Delete the policy; and reposition as a community action</b>
CC5 Rainwater harvesting and surface water run-off	7.98	<b>Replace the policy with:  'Proposals which incorporate rainwater harvesting and do not increase urban run-off will be supported'</b>	Recommend detailed modifications to its wording so that it has the clarity required by the NPPF and specifically relates to the development management process. Otherwise, it meets the basic conditions.	Agree with Examiners reasoning and conclusions.  <b>Modify policy</b>
CC6 Local food production	7.100	<b>Replace the policy with:  'Insofar as planning permission is required proposals which assist in the local production of food will be supported'</b>	Some of the initiatives identified in part 10.4 of the Plan are potentially very important in local food production but may not constitute development in	Agree with Examiners reasoning and conclusions.  <b>Modify policy</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			<p>planning terms. This issue is reflected in the recommended modifications to the wider policy approach. Detailed modifications to the policy wording so that it has the clarity required by the NPPF and specifically relates to the development management process. Otherwise, it meets the basic conditions.</p>	
Policy CAF1	7.105	<p><b>Replace the policy with:</b></p> <p><b>‘Development proposals within the open spaces listed in section 11.5 of the Plan (and shown on Maps 11 and 12) or within their immediate locality should safeguard, and where practicable enhance, the open space concerned. Proposals for development which would hinder access to an identified open space or unacceptably detract from its amenity value will not be supported’</b></p>	<p>I recommend that the policy is recast so that it more closely relates to the development management process. As submitted the first part of the policy expects the open spaces to be protected and enhanced without identifying the mechanisms to do so. I also recommend that the second part of the policy comments about the outcomes of proposals which would unacceptably impact on open spaces. Finally, I recommend that the policy comments about development proposals in</p>	<p>Agree with Examiners reasoning and conclusions.</p> <p><b>Modify policy</b></p>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
			the immediate locality of the	
<b>CAF2 Improvements to Pill Precinct</b>	7.108	None-policy meets the basic conditions	n/a	Agree with examiners reasoning and conclusions.  <b>No change to policy.</b>
<b>CAF3 Sport and recreation uses on Beggar Bush Lane</b>	7.111	None-policy meets the basic conditions	n/a	Agree with examiners reasoning and conclusions.  <b>No change to policy.</b>
Community aspirations	7.113	<p>In Section 1.2 replace 'Community Action Policies' with 'Community Actions' whilst retaining the colour.</p> <p>After the section on Community Actions add a new paragraph to read:</p> <p>'The planning policies will become part of the development plan. They will be used with North Somerset Council policies to determine planning applications in the neighbourhood area. Whilst the community actions will not have such status, they will form the basis of work which the parish councils will pursue either themselves or with others'</p> <p>Consequential renumbering of community actions as a result of other modifications to the Plan.</p>	Further clarification is needed that these are not land use policies	Agree with examiners reasoning and conclusions.  <b>Amend supporting text in line with examiners modifications</b>

Policy/Paragraph	Examiners report ref/para	Examiners Modification	Summary of reasoning	Councils conclusion and Action required
<p><b>General</b> Consequential amendments</p>	7.117	<p><i>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</i></p>	<p>Necessary to bring the rest of the plan into conformity with the modifications.</p>	<p>Consequential amendments to the Plan text will be made prior to the plan being published for referendum.</p>
<p><b>General</b> Review of the Plan</p>	7.118	<p>Wording of Section 2 <i>Replace the final sentence of Section 2 of the Plan with: 'Based on the current timetable, the emerging strategic framework for North Somerset will be finalised in early 2023. Within twelve months of the adoption of the Local Plan the need or otherwise for the neighbourhood plan to be reviewed will be assessed. In the event that a full or a partial review of the Plan is necessary it will be undertaken from that point onwards'</i></p>	<p>To clarify the timescales involved for a review of the Plan in relation to the finalising of the new Local Plan for North Somerset.</p>	<p>Agree with examiners reasoning and conclusions.</p> <p><b>Amend supporting text in line with examiners modifications</b></p>