
Congresbury Neighbourhood Development Plan.

**Consultation Responses from Reg 16
Consultation held on 14 January – 6 March
2019 which were submitted to the Examiner.**



Congresbury NDP Submission Consultation Responses 14 January- 6 March 2019

Plan section	Introduction	
Respondent	Comment	Attached documents
Susan	<p>1.3 Congresbury & 4.2.2 Environment</p> <p>Corrections to proper names as follows: Urchin Wood should be Urchinwood, 10 Acres should be Ten Acre, New Croft should be Newcroft, Meaker should be Meakers, Phippen should be Phippens and Norton should be Nortons.</p>	
Wood Plc on behalf of National Grid	<p>An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High-Pressure apparatus.</p> <p>National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</p> <p>National Grid has provided information in relation to electricity and transmission assets via the following link: http://ww2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</p> <p>The electricity distribution operator in North Somerset is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.wnergynetworks.org.uk</p> <p>Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure.</p>	

Respondent	Comment	Attached documents
Gladman Developments	<p><u>Introduction</u> This letter provides Gladman’s representations to the submission version of the Congresbury Neighbourhood Plan (CNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues within the CNP as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in Neighbourhood Planning, having been involved in the process across the country. It is from this experience that this representation has been prepared.</p> <p>Gladman have a land interest in the neighbourhood plan area, and are promoting a site at Land south of Wood Hill, Congresbury for a residential development. A Site Submission and Site Location Plan are included at Appendix A. Gladman submit that the site presents an excellent opportunity to create a new high quality residential development in a suitable and sustainable location.</p> <p><u>Legal Requirements</u> Before a Neighbourhood Plan can proceed to referendum, it must be tested against a set of basic conditions defined in Paragraph 8(2) schedule 4b of the Town and Country Planning Act 1990 (as amended) by way of independent examination. The basic conditions that the CNP must meet are as follows:</p> <ul style="list-style-type: none"> (a) Having regard to national policies and advice contained in guidance issued by Secretary of State, it is appropriate to make the order. (d) The making of the order contributes to the achievement of sustainable development. (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). (f) The making of the order does not breach, and is otherwise compatible with, EU obligations. <p><u>National Planning Policy</u> On the 24th July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework (NPPF). The first revision since 2012, it implemented 85 reforms announced through the Housing White Paper. This version of the NPPF was itself superseded on the 19th February 2019, with the latest version, largely only making alterations to the Government’s approach for the Appropriate Assessment as</p>	

Respondent	Comment	Attached documents
	<p>set out in Paragraph 177, clarification to footnote 37 and amending the definition of ‘deliverable’ in Annex 2 of the NPPF.</p> <p>Paragraph 214 of the NPPF 19 sets out the transitional arrangements for the implementation of revised national planning policy. Paragraph 214 confirms that development plan documents submitted on or after the 24th January 2019 will be examined against the latest version of the NPPF. Given that the CNP was submitted to North Somerset Council for Examination before the 24th January 2019, the comments provided within this representation reflect the national policy requirements as previously defined by the 2012 version of the NPPF.</p> <p>At the heart of the NPPF is the presumption in favour of sustainable development which is seen as the golden thread running through both plan-making and decision-taking. Paragraph 16 sets out that the presumption has implications for how communities engage in Neighbourhood Planning, including the need for Neighbourhood Plans to support strategic development needs, and positively support local development.</p> <p>Paragraph 17 of the NPPF sets out that Neighbourhood Plans should set out a clear and positive vision for the future of the area, and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood Plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to wider opportunities for growth.</p> <p>Paragraph 184 of the NPPF makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.</p> <p>Planning Practice Guidance (PPG) is published alongside the NPPF by the Government to provide further guidance on how policies of the NPPF are to be interpreted and implemented by plan-makers. Section 41 of the PPG relates to Neighbourhood Planning. The PPG adds further clarity on the content, timing and role of Neighbourhood Plans.</p>	

Respondent	Comment	Attached documents
	<p>PPG further reiterates the need to ensure that Neighbourhood Plans provide for a positive planning strategy and do not seek to curtail the amount of development planned at the strategic level.</p> <p><u>Relationship to the Local Plan</u></p> <p>To be found in accordance with the Basic Conditions, Neighbourhood Plans should be prepared to conform to the strategic policy requirements set out within the adopted Development Plan. In the case of the CNP, the relevant development plan is provided by the North Somerset Core Strategy and North Somerset Site Allocations DPD adopted by North Somerset Council in January 2017 and April 2018 respectively.</p> <p>The Core Strategy designates Congresbury as one of nine Service Villages within the District, occupying the fourth tier of the settlement hierarchy. Policy CS14 of the Core Strategy sets out that 2,100 dwellings are required in Services Villages over the period 2006-2026. Policy CS32 of the Core Strategy sets out that individual developments at Congresbury may occur up to a scale of 25 dwellings provided it is in compliance with identified criteria. Sites of a larger scale must be plan-led.</p> <p>The Site Allocations DPD identifies four sites in Congresbury as allocations for housing. Collectively, the sites identified within the Site Allocations DPD in Congresbury amount to 123 dwellings, with all sites currently benefiting from planning consent.</p> <p>The ongoing work to progress the West of England Joint Spatial Plan (JSP) forms the broader context to the preparation of the CNP. The JSP is being jointly prepared by Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire Councils, and is currently undergoing examination. The JSP will establish the housing requirement and the strategic approach to new development over the period to 2036. This work will inform a new Local Plan to be prepared subsequently by North Somerset Council.</p> <p>The CNP has been prepared for the period 2018-2036 to align with the JSP. As such, it is therefore critical that the CNP does not conflict with the JSP and emerging North Somerset Local Plan 2036. To ensure this, Gladman consider that there is a need for Congresbury Parish Council to make a commitment to review the CNP following adoption of the JSP and no later than the Preferred Options stage of the emerging North Somerset Local Plan to ensure the consistency of the CNP with the revised development plan position.</p>	

Respondent	Comment	Attached documents
Preston	<p>Site known as 'Glebelands' off Church Road, Congresbury is within the settlement boundary and would be in line with policy CS32.</p> <p>The site is suitable for residential development subject to an acceptable archaeological solution.</p>	
Coal Authority	<p>Thank you for consulting The Coal Authority on the above. Having reviewed your document, I confirm that we have no specific comments to make on it.</p>	

Plan section	Vision
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Respondent	Comment	Attached documents
Tom Leimdorfer	<p>I am fully supportive of the Neighbourhood Plan principles and policies.</p>	

Plan section	Summary of Policies
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Respondent	Comment	Attached documents
Natural England	<p>Thank you for consulting Natural England regarding the Congresbury Neighbourhood Plan HRA, which we understand has been revised in order to ensure compliance with the Court of Justice of the European Union (CJEU) ruling for People Over Wind and Sweetman v Coillte Teoranta.</p>	

Respondent	Comment	Attached documents
	<p>Your appropriate assessment concludes that North Somerset Council is able to ascertain that Congresbury Neighbourhood Plan will not result in adverse effects on the integrity of any European sites. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the implementation of the Plan, Natural England advises that we concur with the assessment conclusions.</p> <p>In reaching our view we have noted the additional wording proposed for Policies H3 and H4 (housing sites and affordable housing site): <i>“Development proposals must not adversely affect the integrity of Natura 2000 sites. Where necessary, appropriate mitigation measures should be incorporated in accordance with the guidance set out in the North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD, or any future document that supersedes it.”</i> This further clarifies the ecological mitigation requirements in relation to the development of these sites and is most welcome.</p>	
Historic England (David Stuart)	<p>Thank you for your Regulation 16 consultation on the submitted Congresbury Neighbourhood Plan. We are also in receipt of a parallel consultation on the revised SEA Screening Opinion for the Plan and this response covers both exercises.</p> <p>In our previous response to your authority on the then draft Plan and associated SEA we highlighted the absence of evidence to substantiate proposed site allocations (policy H3). Your authority’s Conservation Officer then carried out an assessment of the proposed sites from the perspective of their potential for impact on relevant heritage to which we responded in early December (see attached).</p> <p>From this we concluded that if one of the sites were removed from the Plan the remaining four were capable of development in principle, subject to being able to demonstrate that each could satisfy the considerations identified in the conservation officer’s report and deliver that development which was proposed for it.</p> <p>We note from the Consultation Statement December 2018 that the community has agreed with the need for additional evidence and that further work has been completed to produce more detail in the site assessments (p27). The Conservation Officer’s report has also been included in the submitted evidence base.</p>	

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	<p>From the schedule of submitted documents the only additional site assessment report which we can identify is Appendix 1 – Site Assessments for Policy H3, dated December 2018. However, this provides no additional information on the relationship between the sites and the heritage assets identified in the Conservation Officer’s report, ideally drawing upon our guidance previously recommended, to indicate that the sites can deliver the levels of development proposed for them while still accommodating the heritage acceptance criteria for the four sites now embodied within policy H3 (one site having been removed in response to the Conservation Officer’s report).</p> <p>On this basis there would therefore be concern that a tension and uncertainty remained regarding each site’s ability to deliver its intended quantum of development while ensuring no or minimal acceptable harm to designated heritage assets.</p> <p>However, we note from the revised SEA Screening Report that the Conservation Officer has concluded that there will not be a cumulative impact of the proposed housing development on the heritage assets within the Plan area. And your authority has confirmed to us informally that the Conservation Officer’s report took account of the housing numbers proposed for each site when concluding their individual suitability for development – an important element of the evidence base which we would encourage be made more explicit.</p> <p>We are therefore happy to defer to your authority in its conclusions as to the Plan’s ability to demonstrate appropriate conformity with national and local policy for the protection and enhancement of the historic environment.</p> <p>On this basis there are no outstanding or other issues associated with the submitted Plan upon which we wish to comment, and we have no objection to the view that an SEA is not required.</p>	
Andrew Ross (Turley Associates)	<p>We write to provide objections to the Submission draft of the Congresbury Neighbourhood Plan (consultation until 6 March 2019). These representations include a number of requests where the Neighbourhood Plan should be updated. The submission of these representations seek to ensure that an effective plan for this area is achieved, which aligns with key aspects of national planning policy. Amongst its primary functions, the Neighbourhood Plan</p>	

Respondent	Comment	Attached documents
	<p>should specifically respond to and reflect relevant national and local planning policy (as set out in the National Planning Policy Framework published on 19 February 2019 [“2019 NPPF”]) and the Development Plan for North Somerset. Our representations made to the submission of the draft Neighbourhood Plan focus on the following policies:</p> <ul style="list-style-type: none"> • Policy H1 – Sustainable Development Location Principles; • Policy H2 – Sustainable Development Site Principles; • Policy H3 – Potential Housing Site Allocations; and • Policy EH2 – Area of Separation. 	
Gladman Developments	<p>Gladman recognises the role of Neighbourhood Plans as a tool for local people to shape the development of their local community. However, there is a need to ensure that a Neighbourhood Plan can first be found to be consistent with the basic conditions. Having reviewed the proposed policies of the CNP, Gladman have significant concerns that the submission version does not meet basic condition (a), (d) or (e).</p> <p>The CNP does not meet basic condition (a) due to:</p> <ul style="list-style-type: none"> ◦ The requirement for affordable housing on sites of less than 10 dwellings contradicts the Written Ministerial Statement of 28th November 2014, as now transposed into policy through Paragraph 63 of the 2019 NPPF; ◦ The requirement for 35% affordable housing has not be subject to viability testing and as such it is unclear what effect this would have on the deliverability of development within the plan area; ◦ Similarly requirements set out for enhanced build standards and application of renewable energy technology as set out in Policy H2, has not been viability tested by the Parish Council; and ◦ There is insufficient evidence or justification to support the Area of Separation identified to the south of Congresbury through Policy EH2 of the CNP. Gladman consider that the policy is inconsistent with PPG. <p>The CNP does not meet basic condition (d) due to:</p>	

Respondent	Comment	Attached documents
	<ul style="list-style-type: none"> ◦ The arbitrary cap of 150 dwellings in Congresbury may adversely affect the sustainable pattern of development within the Service Village tier, placing greater pressure on other settlements within this tier. <p>The CNP does not meet basic condition (e) due to:</p> <ul style="list-style-type: none"> ◦ The limitation within Policy H1 to development within settlement boundaries does not reflect Policy CS32 of the Core Strategy; ◦ The upper cap on the scale of development within the settlement boundary at 25 dwellings does not reflect Policy CS32 of the Core Strategy; ◦ The cap applied within Policy H1 to the overall amount of development to be delivered within Congresbury to 2036 at 150 dwellings does not reflect the Core Strategy, and predetermines the emerging Local Plan preparation process; and ◦ The requirement for 35% affordable dwellings outlined through Policy H2 is inconsistent with Policy CS16 of the Core Strategy which requires 30%. <p>To address the points raised above, Gladman consider that the following changes are required:</p> <ul style="list-style-type: none"> ◦ The requirement in Policy H1 for all proposals to be located within the settlement boundary should be removed; ◦ The cap applied in Policy H1 to 150 dwellings should be removed; ◦ The cap placed in Policy H2 on the scale of development in excess of 25 dwellings from all sites should be removed; ◦ Affordable housing should only be required on sites of 10 dwellings or more; ◦ The affordable housing percentage expressed through Policy H2 should be reduced to 30% with any development proposing a higher level treated positively by the decision making in the planning balance; ◦ The Parish Council should gain advice on what impact the application of Parts d) and e) of Policy H2 will have on development proposals within the plan area; and 	

Respondent	Comment	Attached documents
	<ul style="list-style-type: none"> ◦ The Area of Separation identified to the south of Congresbury should be removed. <p>In addition, to enhance the certainty of the CNP, the word “potential” should be removed from the policy heading for Policy H3. Gladman consider that there is a need for the Parish to provide additional evidence to illustrate the availability of Sites B, C, D and E. The site capacity for Site A should be reduced to 13 dwellings to reflect the pending application. The site capacity for Site B should be reviewed taking into account the site size, site location, and wider built/environmental character.</p> <p>Finally, Gladman consider that there is a need for the Parish Council to commit to review the CNP, should the policies and spatial strategy outlined within the “made” Neighbourhood Plan contradict or restrict the capacity of North Somerset Council in meeting the strategic requirements of the JSP in a sustainable manner. A review of the CNP should also be undertaken should allocations identified through the “made” version of the Neighbourhood Plan fail to come forward as expected.</p> <p>Gladman hope that the comments made within this representation have been found to be helpful and constructive. Should you wish to discuss any of the comments made any further please do not hesitate to contact one of the Gladman team. Should the examiner decide it is necessary to hold a hearing to discuss the issues raised, Gladman formally request to participate at the hearing session(s).</p>	

Plan section

Policy H1: Sustainable Development Location Principles

Respondent	Comment	Attached documents
Persimmon Homes Severn Valley	The justification for Policy H1 and the Basic Conditions Statement do not provide any justification for limiting building heights to 3 storeys or for limiting total numbers to 150 dwellings. Plans and policies, including those in Neighbourhood Plans should be based on a clear evidence base. NPPG ID:41-040 says <i>‘proportionate, robust</i>	

Respondent	Comment	Attached documents
	<p><i>evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft Neighbourhood Plan.'</i></p> <p>In respect of the 150 dwelling limit, this appears to be arbitrary and it does not appear to have been provided by North Somerset in response to a request from the Neighbourhood Plan Group in accordance with NPPF paragraph 66. Equally it is not clear how the 150 will be delivered on the basis that the plan proposes to allocate only 80 dwellings, therefore relying on an effective windfall rate of 47% with no evidence to support it and on the basis that the site assessment matrix rules out all other alternative sites. However, we note that the Site Assessment Matrix is far from comprehensive and does not assess all potential sites adjoining the settlement boundary, including land south of Wood Hill and land south of Cobthorn Farm.</p>	
Andrew Ross (Turley Associates)	<p>Policy H1 – Sustainable Development Location Principles</p> <p>Policy H1 seeks to ensure that new development within Congresbury is located in a sustainable location. To ensure this is achieved, Policy H1 confirms that ‘new developments should be located where residents are able to walk safely and cycle reasonable distances to village facilities and services, have easy access to public transport and therefore minimising the use of private vehicles’. In principle, we support the over-arching objective of this policy, which would seek to promote the future sustainable expansion of Congresbury. However, we fundamentally disagree with the drafting of sections C-F of Policy H1. Principally these measures do not seek to ensure the sustainable development of Congresbury; the Policy simply seeks to unduly restrict future residential development coming forward on land that could meet future housing needs.</p> <p>For context the West of England local authorities (North Somerset, Bristol City, South Gloucestershire and Bath and North East Somerset) are in the process of preparing the West of England Joint Spatial Plan (the ‘JSP’). The JSP was submitted to the Secretary of State for examination in April 2018, with the examination anticipated to commence from mid-May 2019. Additionally, running alongside the preparation of the JSP, North Somerset are also in the process of preparing a new Local Plan. An Issues and Options consultation on the Local Plan was undertaken in late 2018. Although the Local Plan is only at the early stages of being prepared, alongside the</p>	

Respondent	Comment	Attached documents
	<p>Strategic Development Locations identified within the JSP, the Local Plan will be responsible for allocating at least 25,000 new homes required within North Somerset. The Congresbury Neighbourhood Plan should therefore not be creating policies that overly restrict the future development at Congresbury. Sites that can accommodate new residential development that could help to meet future housing requirements for North Somerset should not be unduly restricted from coming forward by the draft policies such as Policy H1 of the draft Congresbury Neighbourhood Plan. If restrictive policies are included they may quickly be superseded by policies in the emerging North Somerset Local Plan.</p> <p>In this regard, the Government’s Planning Practice Guidance (PPG) confirms that:</p> <p><i>“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan.</i></p> <p><i>A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.</i></p> <p><i>Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:</i></p> <ul style="list-style-type: none"><i>• the emerging neighbourhood plan</i><i>• the emerging Local Plan</i><i>• the adopted development plan with appropriate regard to national policy and guidance.</i>	

Respondent	Comment	Attached documents
	<p><i>The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.</i></p> <p><i>The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan” (Paragraph: 009, Reference ID: 41-009-20160211).</i></p> <p>Furthermore, we question what specific technical evidence has been prepared to support and justify the preparation of this policy, including specifically the limit of 150 dwellings up to 2036. We wish to remind Congresbury Parish Council that the evidence based justification for this policy is critical. All evidence to support and justify the Neighbourhood Plan should be made available for robustness and transparency, as without such justification a restrictive policy such as Policy H1 will not meet the basic conditions for a Neighbourhood Plan policy.</p> <p>Given the primary function of Policy H1 is to ensure that future development is located within sustainable locations, the drafting of the policy is misleading and suggests that development located outside of the existing settlement boundary would be unsustainable. This is not the case. For example, land located between the Strawberry Line and to the west/ south west of the existing settlement boundary of Congresbury is all within 1km of the existing services within Congresbury, which are primarily located along Brinsea Road. This land is therefore considered to be within easy walking and cycling distance to the existing services within Congresbury. The entirety of this land which is located at the edge of the settlement of Congresbury could therefore be considered to be a sustainable location for potential future development.</p>	

Respondent	Comment	Attached documents
	<p>On the basis of the above, Policy H1 should be updated to ensure that it does not unduly restrict future residential development. The alternative is to ensure that suitable technical evidence is presented to confirm the acceptability and the appropriateness of Policy H1, this evidence is not available to date.</p>	
Gladman Developments	<p>Part c) of the Policy sets out that in order to meet the CNP’s sustainable development principles for the location of new development, proposed developments should be located within the settlement boundary. Gladman do not believe that this requirement is consistent with Policy CS32 of the Core Strategy, with the policy permitting development up to a scale of 25 dwellings outside of the settlement boundary. No justification is provided by the Parish Council as to why a different approach is necessary in the case of Congresbury other than that applied through the adopted statutory development plan. The reference to settlement boundaries should therefore be removed from Part c) of the Policy.</p> <p>Gladman object to Part e) of the policy and consider that this should be removed. Gladman submit specific comments relating to Part e) of the Policy under the heading relating to Policy EH2.</p> <p>Part f) of the Policy limits new development in Congresbury to 150 dwellings up to 2036. This is inclusive of the allocations made through the CNP but excludes the 140 dwellings which have been granted since 2015. Gladman consider the application of a cap through the Policy to be in conflict with basic conditions (a), (d) and (e). Gladman also consider this contradicts Part a) of Policy H1 which aims to support the implementation of the spatial strategy as set through Policy CS14 of the Core Strategy.</p> <p>Little justification is offered by the Parish Council to justify the proposal to cap the amount of development permitted in the village to 150 dwellings, with this figure seemingly arbitrary. It is accepted that the Highways and Transport Evidence Base Report (Appendix E to the CNP) indicates limited capacity at some junctions located within the parish, however this constraint does not in itself necessarily rule out further development within the village until post 2036, with the report highlighting possible mitigation measures available to address this problem. The NPPF is clear at Paragraph 32 that only a severe highways constraint should be used to refuse development. A severe highways constraint does not appear to be demonstrated in this case.</p>	

Respondent	Comment	Attached documents
	<p>No cap is applied to sustainable development by the NPPF, and similarly the Core Strategy does not express an upper limit to development in Congresbury to the windfall development permitted under Policy CS32 of the Core Strategy.</p> <p>Part a) of Policy H1 commits the CNP to supporting the delivery of Policy CS14 of the Core Strategy. Policy CS14 sets out the need for 2,100 dwellings in Service Villages over the period 2006 – 2026. Congresbury is one of nine Service Villages in the Core Strategy. However, five of the villages in this tier (namely Backwell, Banwell, Easton-in-Gordano/Pill, Long Ashton and Winscombe) are heavily constrained by statutory designations (e.g. Green Belt/ Area of Outstanding Natural Beauty) which serve to limit the capacity for new development to be accommodated in these settlements. As a result, it may therefore be expected that the remaining four settlements within this tier (inclusive of Congresbury) would be required to accommodate a higher proportion of development. The application of a cap to development in Congresbury cannot therefore be said to support Policy CS14 but rather inhibits it, by potentially requiring disproportionate amounts of development to be accommodated in other settlements of the District.</p> <p>The CNP has been prepared aligned to the timeframe of the JSP and the emerging North Somerset Local Plan 2036. The JSP remains at examination and is likely to be subject to significant change before it is adopted. The Council has only consulted on the Issues and Options version of the emerging Local Plan between September - December 2018. Given that it is highly uncertain as to what level of development the JSP/Local Plan will require or how this development is to be delivered over the plan period, it is unclear to Gladman how the cap of 150 dwellings has been justified or considered to be consistent with the emerging development. Instead, Gladman consider that the application of a cap through the CNP prejudices this wider strategic plan making process and must be reviewed (if it is retained) once the JSP and emerging Local Plan are adopted.</p> <p>For the above reasons, Gladman suggest that the cap of 150 dwellings should be removed.</p>	
Yatton Parish Council	Yatton Parish Council supports Congresbury’s Neighbourhood Development Plan as a whole, considering it to be a very well-researched and well-written document that encapsulates the wishes of their residents. Most of the major	

Respondent	Comment	Attached documents
	<p>issues raised in Congresbury's Plan are common to all North Somerset's service villages and need similar policies to address them.</p> <p>Yatton Parish Council supports Congresbury's concerns about the potential scale of future of development in the area, agreeing that this needs to be both proportionate in scale and sympathetic to the local built and non-built environment in appearance.</p>	

Plan section	Policy H2 – Sustainable Development Site Principles
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Respondent	Comment	Attached documents
Persimmon Homes Severn Valley	<p>There is no evidence in the justification to the policy or in the Basic Conditions Statement to support the policy requirement that new development should not exceed more than 25 dwellings on any one site.</p> <p>Plans and policies, including those in Neighbourhood Plans should be based on a clear evidence base. NPPG ID:41-040 says <i>'proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft Neighbourhood Plan.'</i></p> <p>In addition Policy H2(b) requiring provision of affordable housing on development of 5 or more dwellings is contrary to NPPF paragraph 63 which says <i>'provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas'</i> where major developments are defined as 10 units or more (Town and Country Planning (Development Management Procedure) (England) Order 2010) and Congresbury is not a designated rural area.</p> <p>Therefore Policy EH2 fails to meet Basic Condition 2(a).</p>	

Respondent	Comment	Attached documents
S Harris	<p>Point 1 of Policy H2 states that <i>“Proposals for new residential development adjacent to the settlement boundary will not be permitted.”</i></p> <p>We would say that a degree of housing will need to be provided over and above the sites listed under Policy H1 that provide for 80 new dwellings. Sites adjoining the settlement boundary will be crucial to ensure Congresbury grows at a sustainable level over the next 17 years.</p>	
Andrew Ross (Turley Associates)	<p>Policy H2 – Sustainable Development Site Principles</p> <p>Section a) of Policy H2 confirms that new development should not exceed more than 25 dwellings on any one site to ensure sustainable small scale residential development is delivered that respects and enhances the character of Congresbury.</p> <p>We are unsure how limiting the scale of development on any one site to 25 dwellings will ensure that the character of Congresbury will be preserved. Furthermore, no justification has been provided to support the policy, which would demonstrate how this policy would be effective. It is considered that through the use of good design, larger residential development sites could be appropriate and could successfully respect and enhance the character of the settlement. Section a) of Policy H2 is therefore considered to be unnecessary and should be removed from the Policy. In its current draft section a) of Policy H2 simply seeks to unduly restrict future residential development. Furthermore, larger residential development are likely to be a more viable proposition to residential developers, which will likely deliver a greater quantity of affordable housing, with more potential for contributions and the provision of additional community and social facilities.</p> <p>Section b) of Policy H2 confirms that development of 5 or more dwellings should include the full onsite provision of a minimum of 35% affordable housing. We support the essence of Section b) of Policy H2, however to ensure compliance with the PPG the policy needs to provide flexibility and take into account site specific circumstances.</p>	

Respondent	Comment	Attached documents
	<p>All residential development sites should be considered on their own individual merits and there may be occasions where site viability restricts the amount of affordable housing that can be feasibly and viably accommodated on the site. To allow for flexibility, it is suggested that Policy H2 is amended as follows:</p> <p><i>b) There is a recognised need for affordable housing and subject to viability considerations there should be no development of 5 or more dwellings without the full onsite provision of a minimum of 35% affordable housing (for rent or shared ownership). Self-build or co-housing schemes can be subject to different criteria.</i></p>	
Gladman Developments	<p>Part a) of the Policy sets out that only developments which take place within settlement boundary and provide for a capacity of no more than 25 dwellings in size will be permitted. Gladman object to Part a) and consider it to be inconsistent with Policy CS32 of the Core Strategy and as a result conclude that Part a) is not consistent with basic condition (e).</p> <p>Policy CS32 is clear that flexibility is afforded to allow for developments of up to a scale of 25 dwellings to apply to sites which are located adjoining to settlement boundaries only. As a result, there is no cap to the scale of development which may be permitted within settlement boundaries. The approach adopted in Part a) of Policy H2 is clearly in conflict with Policy CS32. The Parish Council do not provide sufficient evidence or justification as to why development should be restricted to 25 dwelling parcels within the settlement boundary. Part a) of Policy H2 should therefore be removed.</p> <p>Part b) of the Policy sets out the need for affordable housing to be delivered on sites of 5 dwellings or more, at a minimum proportion of 35% total site yield. Gladman object to Part b) and consider it to be inconsistent with Policy CS16 of the Core Strategy and national planning policy. The requirements of Part b) are therefore considered by Gladman to fail basic conditions (a) and (e).</p> <p>The requirement for affordable housing to be delivered onsite for all developments of 5 dwellings or more represents a clear contradiction with the Ministerial Statement published on the 28th November 2014. The Ministerial Statement sets out that on-site affordable housing delivery should only be required on developments of</p>	

Respondent	Comment	Attached documents
	<p>10 dwellings or more, or in rural parishes 5 dwellings or more in the form of an off-site financial contribution. Congresbury Parish does not fall within the definition of a rural parish as defined under Section 157 of the 1985 Housing Act, and as such there should be no requirement for affordable housing on sites less than 10 dwellings.</p> <p>Whilst it is accepted that the CNP is to be examined in the context of the NPPF 2012, considerable weight should be afforded to the 2019 version of the NPPF which provides more up-to-date national planning policy. The 2019 NPPF implements the Ministerial Statement into formal policy (see NPPF 2019 Paragraph 63). Taking this into account the affordable housing requirements of Policy H2 should only apply to developments of 10 dwellings or more.</p> <p>Gladman also object to the requirement within Part b) for the delivery of 35% affordable housing. This contradicts Policy CS16 of the Core Strategy which requires 30%. Whilst the provision of a higher level of affordable housing would be considered consistent with Policy CS16, the minimum position set by North Somerset Council is 30% and as such developments are required to deliver 30% in order to pass this policy test. Anything above this level should be considered as a benefit of the development to be considered as part of the wider planning balance by decision makers.</p> <p>The requirement for 35% affordable dwellings is not evidenced or justified by the Parish Council. The requirement, as adopted in the Core Strategy, is a result of a detailed plan preparation process which has thoroughly considered (and tested) need and viability evidence. No such process has been taken by the Parish Council through this plan preparation process, and as a result, Gladman is unable to conclude whether this can be considered justified or would not have an adverse effect on overall deliverability of development or allocations made through the CNP and Site Allocations DPD.</p> <p>Taking this into account, Gladman consider that the requirement for 35% affordable housing as currently set out within the policy should be revised to 30% to reflect the requirements of the Core Strategy. A potential option available to the Parish Council would be to set out in the supporting text to Policy H2 that any development which proposes a level of affordable housing which is in excess of the minimum requirement of the Policy CS16 of the Core Strategy should be treated positively by the decision maker.</p>	


Respondent	Comment	Attached documents
	<p>Parts d) and e) of the Policy require new homes to be developed to a high standard of environmental design, with 10% of electricity drawn from renewable sources on sites of 5 dwellings or more. Whilst Gladman do not object to the principle of renewable energy or sustainable homes, Gladman is concerned by the lack of evidence or assessment provided in relation viability in support of these requirements. It is therefore unclear to Gladman what effect such requirement will have on the deliverability of housing within the plan area. To address this shortcoming, Gladman request that this information is provided.</p>	
<p>Freemantle Developments Ltd</p>	<p><u>Policy H2 – Sustainable Development Site Principles</u></p> <p>There is a typographical error under bullet (a): “New development should not exceed more the...” – should be ‘than’. Also, there is a full-stop missing at the end of the first sentence to bullet (a).</p> <p>The requirement at bullet (b) for full on-site provision of a minimum of 35% affordable housing on development sites comprising 5 or more dwellings is contrary to national policy, which only requires affordable housing to be provided for proposals that fall under the definition of ‘major’ development.</p> <p>Paragraph 63 of the National Planning Policy Framework (NPPF), July 2018, states:</p> <p><i>“Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).”</i></p> <p>The NPPF glossary at Annex 2 defines ‘major developments’, for housing, as “development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more”, and ‘designated rural areas’ as “National Parks, Areas of Outstanding Natural Beauty and areas designated as ‘rural’ under Section 157 of the Housing Act 1985” (which is an area designated by order of the Secretary of State as a rural area).</p>	

Respondent	Comment	Attached documents
	<p>Currently, sites under 0.5 hectares can be developed for up to 9 dwellings (with no restriction on floorspace/GIA) and this provision defines the land value where it can be demonstrated that the proposed density and type of housing is appropriate for the site and local context (i.e. would be likely to receive planning permission).</p> <p>Requiring affordable housing to be provided for schemes of 5 or more dwellings is unlikely to be viable in most cases, and would have significant implications for housing delivery, to the detriment of the NPPF objective to ‘boost’ it ‘significantly’.</p> <p>In addition, the requirement for “full on site provision” and the lack of any flexibility on the percentage (i.e. a minimum of 35%) provides no scope for off-site provision where this is more appropriate, or for the level of affordable housing to be negotiated where viability is an issue. Currently, the NPPF and Core Strategy/Development Management Policies provide this flexibility.</p> <p>Our client recognises the need for affordable housing and the barriers to delivery but setting a lower threshold for provision will not resolve the issue. Smaller sites will simply not come forward for development, and this will have a major impact on housing delivery overall bearing in mind the significant contribution to housing made by small-scale schemes. That contribution was recognised by the Government and influenced the decision to introduce (initially through the Written Ministerial Statement) an exemption for smaller schemes.</p>	

Plan section	Policy H3: Potential Housing Site Allocations
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Respondent	Comment	Attached documents
S Harris	Policy H1 states that no more than 150 dwellings should be provided at Congresbury during the Plan period up to 2036.	


Respondent	Comment	Attached documents
	<p>Policy H3 sets out 4 residential allocations allowing for 80 dwellings over the period to 2036. This is a rate of less than 5 new dwellings a year being provided.</p> <p>'Area E' is a 5th potential allocation not listed in Policy H3 but included in Map 3 which shows the proposed housing sites.</p> <p>This is also 70 dwellings short that the 150 dwellings the plan might account for (ref. Policy H1). This is an insufficient provision to allow Congresbury to grow as a community during the next 17 year period and insufficient numbers to help the community reach one of its principle objectives which is to secure the provision of affordable housing for local people.</p>	
Andrew Ross (Turley Associates)	<p>Policy H3 – Potential Housing Site Allocations</p> <p>Policy H3 seeks to expand the existing settlement boundary of Congresbury and identifies five additional sites that are allocated for future residential development. The sites range in size from 15 – 25 dwellings per site. In the context of residential development, these are all considered to be relatively small-scale. In principle, we support the proposal to allocate land for future residential development.</p> <p>However, we question how the draft allocated sites have been identified. The justification for these allocations does not appear to have been included within the documentation supporting the Neighbourhood Plan. Indeed, within the justification text to support Policy H3, the following is confirmed:</p> <p><i>“The sites have been allocated as they are considered to be in sustainable locations</i></p> <p><i>Many areas of the village were considered for possible development and it was concluded that there is scope for development west of the village centre, along the A370.”</i></p>	

Respondent	Comment	Attached documents
	<p>This explanation and justification text could be relevant to any of the land located to the west/ south west of Congresbury, not just those areas confirmed within allocations A, B and E. As explained in respect of Policy H1, all of this land to the west/ south west of Congresbury is well connected and within walking distance to the existing services located within the settlement. With access provided via either the A370 or Silver Street, this land is available and suitable for future residential development. Furthermore, the entirety of this area is well contained by existing features, including roads and the Strawberry Line.</p> <p>Additionally, we are also concerned that the sites currently identified for residential development may not be commercially viable in their current form and are therefore undeliverable, due to the limited scale of the development proposed. We believe that many residential developers would be dissuaded from perusing the sites as currently allocated. Furthermore, given the limited size of the proposed allocations, the amount of contributions towards necessary infrastructure to be obtained from these sites are likely to be limited. Contrary to this, a larger residential allocation on land located to the west of Congresbury would represent an attractive proposition to residential developers, whilst it would be likely to offer significant contributions towards necessary infrastructure.</p> <p>In its current drafting, the allocations identified at Policy H3 are not considered to have been adequately evidenced. The current drafting of the Neighbourhood Plan is unlikely to meet the basic conditions required for the plan to be put to referendum and to be made on this basis. We would therefore request that Congresbury Parish Council reconsider the residential allocations currently presented within the draft Neighbourhood Plan.</p>	
Gladman Developments	<p>Policy H3 of the CNP identifies four locations as “potential” sites for housing with a collective capacity of 80 dwellings. Gladman is unclear what is meant by the terminology “potential” which is used in the title of the policy. Gladman considers that this introduces unnecessary uncertainty to the CNP and the status of these sites. To resolve this, Gladman consider that the word “potential” should be removed.</p> <p>Gladman note that none of the sites identified hold a greater capacity than 25 dwellings, despite the scope permitted under policy CS32 of the Core Strategy for larger sites to be identified through the Neighbourhood Planning process. It is unclear why the Parish Council has not sought to identify larger sites through its plan preparation</p>	<p> Congresbury Neighbourhood Plan - Regulation 16 Representation (Gladman).pdf (746 KB)</p>

Respondent	Comment	Attached documents
	<p>process, despite the fact that such sites have greater financial scope to deliver key highways improvements sought by the local community and deliver a greater amount of affordable housing and a broader mix of housing in response to local need.</p> <p>The Site Assessment Matrix provided in Appendix I to the CNP provides further information on each site identified through the CNP. Having reviewed the Site Assessment Matrix, Gladman hold concerns with each of the sites. If the Parish Council is unable to confirm the availability/deliverability of the sites identified in response to the issues raised below, Gladman consider that a relaxation of policy should be considered.</p> <p>The Site Assessment Matrix confirms that Site A is subject to a planning application for 19 dwellings. Reviewing this application, the submitted scheme is for up to 13 dwellings (see application reference 18/P/2532/OUT). This error needs to be corrected in supporting evidence to the CNP with the overall yield identified for Site A amended to reflect that set out through this pending planning application.</p> <p>Site B is identified by the CNP for 20 dwellings. The Site is located to the west of Congresbury to the south of the A370. No information is provided within the Site Assessment Matrix to confirm the availability of this site for housing. It is therefore unclear whether the Site will come forward for development over the plan period. The Site covers an area of approximately 0.3 hectares. The development of 20 dwellings on this Site as outlined by the Policy would therefore result in a development which is development at a density of approximately 66 dwellings per hectare. This high level of density does not reflect the countryside edge location of the site nor the built character of the wider village and would not be suitable for this location. The scale of development likely to be suitable for this site (should it be available) is therefore lower at around 10-15 dwellings.</p> <p>Site C is identified for up to 25 dwellings. The site was not put forward for development in the SHLAA (2018) and the Site Assessment Matrix indicates that the site is not available for development. It is Gladman's understanding that the landowner does not wish to make this site available for residential development. Therefore, there is no reasonable prospect of the site being delivered in the plan period conflicting with paragraphs 47 and 173 of the Framework, which require sites to be developable and plans to be deliverable.</p>	

Respondent	Comment	Attached documents
	<p>Site D is identified for up to 20 dwellings. The site forms a sensible extension to the existing settlement being well related to the built form and overall pattern of development. Whilst Gladman agree in principle that the site represents a suitable location for development, it is unclear whether the site is available for development and as such achievable within the plan period. This concern stems from the Site Assessment Matrix for the Site which fails to confirm the availability of the site for housing. Gladman consider that the Parish Council should seek to confirm this position.</p> <p>Site Submission: Land south of Wood Hill, Congresbury</p> <p>Gladman are promoting Land south of Wood Hill, Congresbury for a residential development. The attached document below shows the red edge location plan for the site.</p> <p>The site is located to the north of the village of Congresbury and extends to 6.24 hectares. Congresbury is located 11km east of Weston-super-Mare on the A371. The site is situated immediately adjacent to existing built development to the west of the village. The site is bound by the narrow road of Wood Hill to the north and an existing residential property (which will be retained), open countryside to the west, Cadbury – Wyevale Garden Centre to the south-west and a commercial plant nursery to the east.</p> <p>The site is split into two distinct parcels. The western parcel is currently pasture, with access from Smallway and Wood Hill. The eastern parcel, with two accesses from Wood Hill is a combination of a small plant nursery with an existing dwelling, and a small paddock used for livestock. The south western part of the eastern parcel of the site consists of a number sheds associated with its use as a plant nursey, along with numerous Poly tunnels and a small stone barn. There is a small block of stables in the north eastern corner of the eastern parcel. A number of hedgerows and mature trees are within the site and along its boundaries. An existing PRoW is immediately adjacent to the eastern boundary of the site and runs in a north to south direction, this will be retained and enhanced as part of the site proposal.</p> <p>The nearest bus stops are situated on the A370 Bristol Road to the south of the site, which can be accessed via the PRoW to the east. Congresbury is serviced by six bus routes. The most frequent are the W1, X1 and X2 buses,</p>	

Respondent	Comment	Attached documents
	<p>which offer a regular service between Weston-super-Mare and Bristol daily, arriving 2/3 times an hour between 06.05 and 18.52 (Monday – Friday). The last X1 service from Weston-super-Mare to Congresbury is at 22.48. There are on average 3 services per hour during the day on Saturdays and 2 services per hour on Sundays and Bank Holidays.</p> <p>Congresbury is identified as a Service Village in the adopted Core Strategy and is capable of accommodating additional residential development over the plan period which will help to sustain and enhance the existing facilities and services in the village. Congresbury has a good range of local facilities and services. that are within easy walking and cycling distance of the site including: St Andrews Infant / Junior School, Tesco Express Store, Post Office, St Andrews Church, Memorial Hall, Medical Practice, Congresbury Library.</p> <p>Gladman can confirm that the site is available, offers a suitable location for development now and is achievable with a realistic prospect that housing will be delivered within five years.</p>	
Richards Developments	<p>am writing on behalf of Richards Developments, in support of the Congresbury Neighbourhood Development Plan. Richards Developments owns the site behind the MediterraneavM restaurant which is identified in Policy H3 as a Potential Housing Site Allocation, South of Station Road (A370), adjoining Station Close.</p> <p>In principal, Richards Developments supports this allocation and the extent of the site, with the site being suitable for development and both available and deliverable within the plan period. However, we suggest that the capacity of the site stated within Policy H3 should expressed as “approximately” to retain flexibility. Please see the proposed amended wording below:</p> <p><i>‘Policy H3 – Potential Housing Site Allocations A South of Station Road (A370), adjoining Station Close – <u>Approximately</u> 15 dwellings</i></p> <p><i>The site behind the MediterraneavM restaurant is part brownfield/ part greenfield. Access would be from Station Close. Development of this site would help community cohesion as Station Close is currently an isolated</i></p>	

Respondent	Comment	Attached documents
	<p><i>development. The site is sustainable with good access to village facilities and public transport. Designs here should respect the setting of these non-designated heritage assets and integrate into the character of Congresbury village both in terms of scale and materials. Site layout should maintain key views towards these assets, enhancing the area rather than separating it from the core village.</i></p> <p><i>Due to the potential of archaeology on this site an archaeological DBA will be required with any application in accordance to paragraph 189 of the NPPF, with the potential for further field evaluation.'</i></p> <p>As you may be aware, Richards Developments submitted a planning application to North Somerset Council (ref: 18/P/2532/OUT) for a residential development of up to 19 dwellings. This application was amended to reduce the number of dwellings to 13 in October 2018. Following a number of extensions of time, Richard Development submitted an appeal for non-determination on the above application in February 2019.</p> <p>The proposals, which are consistent with the Sustainable Development Site Principles set out in Policy H2 of the Neighbourhood plan, will assist with the delivery of the Neighbourhood Plan. Furthermore, following the proposed amendment to the settlement boundary of Congresbury in Policy H5 of the Neighbourhood Plan, the proposed development of the site will also comply with all the requirements of Policy CS32 of the North Somerset Core Strategy (January 2017).</p>	
Freemantle Developments Ltd	<p><u>Policy H3 – Potential Housing Site Allocations</u></p> <p>We support the draft allocation for the Smallway site (Site D), but have a number of comments, which we set out below.</p> <p><u>Capacity</u></p> <p>Given that the draft Neighbourhood Plan proposes a limit of 25 houses for the site allocations (first line of first paragraph on Page 20) and the fact that the Smallway site could potentially accommodate more than the 20 dwelling limit proposed in the allocation (for example, through smaller units of accommodation, such as flats; semi-detached and terraced houses), we would respectfully suggest that the capacity is increased.</p>	<p> 0306 CNP - Freemantle .pdf (190 KB)</p>

Respondent	Comment	Attached documents
	<p>In fact, the current outline application for the Smallway site (reference 18/P/3905/OUT) proposes up to 21 houses (with 21 houses indicatively shown on the illustrative layout), which is consistent with the draft proposal that was presented to the Parish Council in May 2018.</p> <p><u>Highway Safety</u> We acknowledge the concerns regarding the capacity and operation of the Smallway junction and the need to ensure there is no adverse impact on highway safety as a result of new developments, both individually and combined.</p> <p>We are aware that the Parish Council and local community have been pushing for improvements to be made to the junction for some time, however we do not consider it appropriate to suggest that the allocation for this site should be dependent on a re-design, as this is not within the control of the landowner. Indeed, we are aware that currently there is insufficient land adjoining the junction, within Council ownership, to enable it to be redesigned and improved.</p> <p>Currently, the supporting text to the allocation suggests that, unless redesign of the junction is at the very least considered, the Smallway site could not come forward for development. This is unreasonable where it is demonstrated through appropriate Transport Assessments and Road Safety Audits (as is the case for the current planning application for 21 houses, reference 18/P/3905/OUT) that the development of the site can be accommodated on the local highway network without any significant or demonstrable harm to highway safety.</p> <p><u>Heritage Assets</u> The reference to the site being within the setting of “the scheduled monument” and “2 listed buildings” should be clarified.</p> <p>According to the Planning Constraints Map on the North Somerset Council website (see extract in attached document, below), the closest scheduled ancient monument is Cadbury Hillfort, which is sufficiently separated from the site in geographical terms to ensure there would be no harm to its setting.</p>	

Respondent	Comment	Attached documents
	<p>The closest listed building is also separated from the site via existing housing on the Bristol Road; the Bristol Road itself; as well as the allocated Homefield site and Hope Cottage next to it. We would question therefore how the site could be deemed to be located within the ‘setting’ of these designated heritage assets and reference to this should be removed from the text, as a constraint.</p>	
Tom Leimdorfer	<p><u>Potential Housing Allocations (Policy H3)</u></p> <p>I was supportive of the proposed St. Congar’s Co-housing project. This is just the kind of visionary, community oriented and environmentally sustainable development we should be encouraging. I realise that a potentially important archaeological find may make it difficult to realise this project as planned. The published document (p.17) is confusing. The St. Congar’s proposed site was Site E. It looks as if this has been removed, but part of the wording relating to it is still there. It is under site D, but makes no sense relating to that site. I feel that the possibility of a co-housing development on the site should still feature with all the provisos about safeguarding the sensitivity of the site and significant heritage – as the wording suggests. I realise that the site is now totally within the proposed settlement boundary and thus future applications can be considered. So I propose that site E should be re-instated. The Affordable Housing Site is shown as site F under policy H4 and this is correct, but it is shown as site E on the map on p.18.</p>	

Plan section

Policy H4: Affordable Housing Site

Respondent	Comment	Attached documents
Susan	<p>Map 3 Proposed Housing Sites</p>	

Respondent	Comment	Attached documents
	<p>Site F is actually Site E (The Causeway, corner of Dolemoor Lane) as listed under Policy H4 Affordable Housing Site.</p>	
Gladman Developments	<p>The aspiration of the Parish Council to secure affordable housing within the Parish is recognised and supported by Gladman. Gladman however hold some concern as to whether the site identified at The Causeway will be deliverable or provides the most effective means of addressing this type of housing need.</p> <p>The Site Assessment Matrix sets out that whilst the site is considered to be suitable and achievable for housing, its availability is unknown. It is therefore unclear whether the site will come forward before the end of the plan period.</p> <p>Beyond this, Gladman also doubt whether a safe and sufficient access can be secured into the Site. The Causeway takes the form of a narrow lane ending at a track before arriving at the Site entrance. No information is provided which sets out whether the Site has been assessed for its accessibility in highways terms by the local highways authority or independent consultant. Gladman doubt that construction vehicles could access the site without substantial works likely to require third party land.</p> <p>It is unlikely, given its condition, that the track will be in highways ownership, and as such it is unclear whether such works could be undertaken. Without this information Gladman do not consider that the Site can be accessed.</p> <p>The scale of the Site at 10 dwellings, means that its development will meet only a small proportion of the overall housing need. As set out in the CNP, there are 690 households included on the North Somerset Local Housing Register whom have identified Congresbury as their preferred location to live. 10 dwellings will therefore make a limited contribution against this wider level of significant need.</p> <p>Instead Gladman consider that the Parish Council should look to identify alternative larger housing allocations (i.e. above 25 dwellings – as permitted by the adopted development plan) in order to secure a higher level of affordable housing stock moving forwards over the remaining plan period.</p>	

Respondent	Comment	Attached documents
	<p>A further option available to the Parish Council is to adopt a Rural Exceptions Policy. Such a policy would permit the development of affordable housing schemes in the open countryside in locations which would not normally be allowed for development. The adoption of such an approach could afford greater opportunity for enhanced affordable housing delivery within the parish area. The application of a Rural Exceptions Policy within the CNP would provide scope for the development of this Site should issues of landownership and accessibility be addressed.</p>	

Plan section	Policy H5: Changes to Settlement Boundary
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Respondent	Comment	Attached documents
Marcus	<p>We wish the Boundary changes to <u>include</u> garden land which is currently outside the village boundary which runs at the back of Yeo Meads, High Street to the Mill Lane Development site.</p> <p>It is illogical that Garden land should be outside the village boundary , the Mill Lane development , which stretches north beyond, this land leaves it isolated. The justification is to provide additional sensitive small scale development in a traditional village environment, whilst adhering to the needs for additional housing and maintaining the strength of the community.</p>	
Gladman Developments	<p>Gladman welcome the boundary changes proposed by the Parish Council through the CNP as set out on Map 5 of the Plan. The amendments proposed recognise the change to the built fabric of the village which will result from committed and allocated development and would typically be applied through the plan making process adopted by North Somerset Council. In terms of Gladman’s land interest at Wrington Lane, Gladman can confirm that the proposed settlement boundary accurately reflects the site boundary for the permitted development and development area.</p>	

Respondent	Comment	Attached documents
Freemantle Developments Ltd	<p><u>Proposed Settlement Boundary</u></p> <p>We support the proposed extension to the settlement boundary for Congresbury as proposed under Policy H5 and indicated on Maps 2 and 5, Pages 10 and 23 respectively.</p> <p>However, we understand that there could be future potential for the redevelopment of the existing nursery on Wood Hill. That site, which contains extensive areas of hard surfacing; buildings (including permanent and temporary/transparent structures), is outside the Green Belt and would, in our view, be an appropriate extension to the settlement boundary. Perhaps this could be considered, particularly bearing in mind that once the Neighbourhood Plan is 'made', the current support set out in Core Strategy Policy CS32 for housing developments (of around 25 dwellings) on land adjoining the settlement boundary would no longer apply.</p>	
Tom Leimdorfer	<p><u>Proposed Settlement Boundary (map p.23)</u></p> <p>The proposed settlement boundary should take account of the P&R committee decision to approve the Mendip Vale Medical Practice application on the site opposite the former Greenholm Nursery. This area should be included in the Employment site under Policy E1, together with the ol Greenholm Nursery and Cadbury (Blue Diamond) Garden centre sites.</p>	

Plan section	4.2 Transport and Highways - Background
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Respondent	Comment	Attached documents
Highways England	<p>Thank you for providing Highways England with the opportunity to comment on the Congresbury Neighbourhood Plan. Highways England is responsible for operating, maintaining and improving the strategic road network (SRN) which in this instance consists of the M5 which is situated to the west of the plan area.</p>	

Respondent	Comment	Attached documents
	<p>We have noted your proposed policies and are satisfied that they are unlikely to lead to development which will have a significant impact on the SRN.</p> <p>Please note however that these comments do not prejudice any future responses Highways England may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the prevailing policy at the time.</p>	

Plan section	Policy T1: Strawberry Line
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Respondent	Comment	Attached documents
Yatton Parish Council	<p>Yatton Parish Council supports the idea of providing better links between the Strawberry Line and Congresbury's village amenities. The Strawberry Line is an important feature of life in this area, heavily used by residents of Yatton and Claverham, and any improvements in connections to local services are to be encouraged.</p>	

Plan section	Policy T2: Parking, Walking and Cycling Solutions
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Respondent	Comment	Attached documents
Marcus	<p>The instalation of Electric vehicle charging points, sounds Green and sustainablbe but how many electric vehicles are there which might make use of these?</p> <p>I think thios is someting to consider in 10 years time but not waste meoney on now.</p>	

Respondent	Comment	Attached documents
	If parking charging is brought into Broadstreet this could seerioulsy hamper local business and drive custom away, unless the fits 20 mins are free.	

Plan section	Policy T3: Mitigating Traffic Problems and Enhancing Sustainable Travel
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Respondent	Comment	Attached documents
Cleeve Parish Council	<p>Cleeve Parish Council have always made it clear that they do not like the speed at which vehicles pass through the village. Currently the village has 40mph speed restriction however from both directions on the A370 the cars enter Cleeve from a 50mph. Cleeve Parish Council has helped to establish a Community Speed Watch within the village and it is clear many vehicles are still traveling above the 40mph limit.</p> <p>We therefore fully support the proposal for a lower speed limit on Rhodyate Hill as we believe it will also help reduce the speed at which cars travel into Cleeve.</p> <p>Many residents from Cleeve use the footpath on Rhodyate Hill to access the Star and once again we agree that a lower speed limit will ensure their safety.</p>	
Phil Yorke	<p>I should like to comment on the plan as follows and specifically in connection with the traffic issues.</p> <p>1.The plan correctly identifies that the main road,the A370 and the B3133 along Smallway,are running at over capacity levels particularly during rush hours and school times.This situation is exacerbaded whenever there are traffic jams on the M5,when drivers seek alternative routes.In addition,the new housing developments proposed for Congresbury,Yatton and Churchill will all add to the volume of traffic using these roads.</p>	

Respondent	Comment	Attached documents
	<p>2.The traffic statement is somewhat passive,in that it simply refers to the fact that there are no major infrastructure plans in place that will improve matters.However that long term planning Is precisely what is needed,including alternative access to the M5.</p> <p>3.To my knowledge no air quality monitoring has been undertaken along the A370 or at the Smallway junction,to establish the levels of dangerous particulates.There are school playgrounds that are close to the main roads and these surely should be monitored.</p> <p>4.Whilst the proposals to slow traffic by chicanes at the Congresbury gateways,cycle lanes and pavement widening are laudable,,the impact of long queues of semi stationary traffic may well worsen the air quality in the village.</p> <p>I believe a baseline position of air quality at peak traffic times should be established .</p>	
Christine	<p>I live on Brinsea road and at the age of 57 I'm scared to walk on the pavement. The lorries come through at great speed and within an inch of the curb as do cars. I would agree that there should be a cut from 30mph to 20mph and also weight restrictions to try and get all lorries to go a different route. Even better would be calming measures along Brinsea road.</p>	
Marcus	<p>I wholeheartedly support the 20 miles per hours limit along the B3133. We should also consider traffic calming measures and width restrictions or encourage vehicle parking to cause speed bottlenecks.</p> <p>At the Small Way junction an AMBER right turn light should be installed for traffic approaching from Bristol to turn right onto the B3133 towards Yatton. This would have the effect of warning drivers that it is safe to cross if clear. Currently they see a green light and assume the traffic on the A370 coming north is at red.</p>	

Respondent	Comment	Attached documents
Yatton Parish Council	<p>Yatton Parish Council notes that the Plan references the need to try to improve capacity at the Smallway junction between the B3133 and A370. This is of particular interest to Yatton Parish Council because hold-ups on or around Smallway tend to back traffic up through Yatton, making life difficult for residents. We hope that any changes to the road layout in the Smallway/A370 area would improve both pedestrian safety and traffic flow. To this end, an improved left-turn lane southbound from the B3133 to the A370 would be of benefit, because it would mean that vehicles travelling out of Yatton could queue side-by-side as they waited to turn on to the A370. At present, the B3133 is too narrow to allow this and causes unnecessary delay. Furthermore, HGVs travelling south from Yatton and turning left towards Bristol frequently mount the left-hand pavement because the turn is too tight. This is clearly a significant safety hazard that needs to be addressed. We hope that these considerations can be taken into account when this junction is re-assessed.</p>	

Plan section	Policy F2: Protecting and Enhancing Community Services
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Respondent	Comment	Attached documents
Sport England	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p>	

Respondent	Comment	Attached documents
	<p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.</p> <p>http://www.sportengland.org/playingfieldspolicy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.</p>	

Respondent	Comment	Attached documents
	<p data-bbox="517 325 1173 352">http://www.sportengland.org/planningtoolsandguidance</p> <p data-bbox="517 392 1845 456">If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.</p> <p data-bbox="517 496 1581 523">http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p data-bbox="517 563 1883 770">Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p> <p data-bbox="517 810 1872 978">In line with the Government’s NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p data-bbox="517 1018 1883 1185">Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p data-bbox="517 1225 1767 1289">NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p>	

Respondent	Comment	Attached documents
	<p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England’s Active Design Guidance: https://www.sportengland.org/activedesign</p> <p><i>(Please note: this response relates to Sport England’s planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)</i></p>	

Plan section	Policy EH1: Enhance the Conservation Area and Protect the Village Cross
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Respondent	Comment	Attached documents
Marcus	<p>i , ii As much as one might like uniformity of signage thi is inapropriate in a modern world where corporate stale, colours and logos are often trade marked and cannot be altered. For this policy to be adopted it would jeopardies some businesses operating in Congresbury.</p> <p>To suggest the modern materials for signs to be inapropriate is like moving back to the dark ages. These materials are light, bright and offer clear imagery. They are sustainable requiring little or no maintenance. Tp propose wood hand painted signs whould hev the following affects -1] Wood is heavy and may well jeopardise the structure of old buildings. 2] A heavy sign could have serious Healt nd safely issues for those erecting it amd members of the public walking under it, if it came down.</p> <p>iii There is one existing wooded sign which has been up for 3 yearr which is peeling, as paint will on a wood surface so any signage will look tatty after a short time. The continuous maintenance of such signs would be an imposition too far for local shops who are struggling as it is.</p>	

Respondent	Comment	Attached documents
	iv Individual lettering may be inappropriate particularly if the building has stone walls which are uneven and a dark background where lettering would not stand out.	

Plan section

Policy EH2: Area of Separation

Respondent	Comment	Attached documents
Persimmon Homes Severn Valley	<p>The starting point for the justification for the area of separation defined in Policy EH2 is the policy for strategic gaps in the adopted Core Strategy (which establishes the area of separation as an additional strategic gap. Policy CS9 is a strategic policy and the subsequent site allocations plans policy SA7 defined the detailed boundaries of the strategic gaps. That was based on a detailed evidence base set out in the Strategic Gaps Background Paper, October 2016. This assessed 10 factors for each strategic gap which were then considered in a concluding analysis. The factors which were assessed are as follows:</p> <ol style="list-style-type: none"> 1. Location of land in relation to the settlements; 2. Sense of the gap; 3. Sense of leaving or arrival at a settlement; 4. Sense of place, perception of the separate identity of settlements or parts of settlements, actual and perceived proximity of settlements; 5. Landscape setting of settlements or parts of settlements; 6. Distance; 7. Topography; 8. Vegetation; 9. Landscape/type; 10. Existing uses and density of buildings. 	

Respondent	Comment	Attached documents
	<p>This comprehensive assessment is in comparison to a single paragraph of general description contained in the Neighbourhood Plan.</p> <p>As the Site Allocations Plan and the Congresbury Neighbourhood Development Plan both form part of the Development Plan for North Somerset and Congresbury and both define strategic gaps, this should be done consistently using the same assessment and evidence base in both plans. Therefore, unless Policy EH2 follows the more comprehensive evidence used in the Site Allocations Plan it fails to meet Basic Condition 2(e) because it is not in general conformity with the Strategic Policies contained in the Development Plan for the area.</p> <p>Policy EH2 also contains a negative obligation, that any development which threatens the land will not be permitted. This is contrary to NPPG ID41-004, which says a neighbourhood plan should <i>'plan positively to support local development'</i> and it also contrasts with the construction of Site Allocations Plan Policy SA7, which says:</p> <p><i>'Development within strategic gaps as shown on the Policies Map will only be permitted where:</i></p> <ul style="list-style-type: none"> <i>• The open or undeveloped character of the gap would not be adversely affected;</i> <i>• The separate identity and character of the settlements would not be harmed;</i> <i>• The landscape setting of the settlement would not be harmed.</i> <p><i>The likely impact of the proposal in conjunction with any other developments with extant planning consent will be taken into account.'</i></p> <p>The policy therefore sets out clear criteria against which development will be judged. We are not suggesting that the wording in the Congresbury Neighbourhood Plan needs to be the same, but that the structure of the policy should reflect the approach in the Site Allocations Plan both in terms of the evidence base and the nature of the policy wording.</p>	

Respondent	Comment	Attached documents
Peter Revington	<p>I have read this document with interest, and agree that the village faces a number of developmental challenges, not least those that will flow from the joint spatial plan and airport expansion.</p> <p>We have a very unique rural environment, which we risk damaging unless careful controls are in place.</p> <p>In this regard, I feel that the area of separation designated should extend beyond the boundaries shown to encompass the whole of the parish boundary to the south of the village, incorporating the golf course and Honey Hall Lane.</p> <p>This latter, where I have lived these last twenty four years, has become a busy access point to the Strawberry Line. It is also surprisingly unspoilt, and is home to a range of wildlife, including at least three species of bat, several types of owl, not to mention in the Carditch Rhyne; eels, newts and Kingfishers.</p> <p>There is already significant light pollution from nearby developments which is likely to be further degraded without adequate protection, which might be afforded by incorporating the area in the area of separation.. failure to so seems likely to leave the door open to further unwanted development in this relatively unspoilt part of the parish.</p>	
S Harris	<p>Please accept this letter as a representation prepared on behalf of Mrs S Harris to North Somerset's Consultation to the Congresbury Neighbourhood Plan.</p> <p>Mrs Harris is the owner of land to the West of Brinsea Road, Congresbury (343974, 162823), with the nearest post code being BS49 5JJ.</p> <p>Area of Separation</p> <p>Map 2 of the Neighbourhood Plan consists of a 'Policies Map'. It identifies the settlement boundary for Congresbury, Local Green Open Space, Housing Allocations, Employment Allocations, 'Areas of Separations' and the Neighbourhood Plan Area.</p>	

Respondent	Comment	Attached documents
	<p>Mrs Harris' land adjoins the settlement boundary to the south of the village. As one of few locations outside of the local areas at risk of flooding, it has the potential to contribute towards future housing supply in the area; depending on the progress of emerging North Somerset Local Plan Policy.</p> <p>Having considered the draft Neighbourhood Plan that is being consulted upon, it is clear that Mrs Harris's Land sits within the proposed 'Area of Separation' that adjoins the south of the village; its purpose evidently being to secure a 'gap' between a possible future Mendip Garden Village and Congresbury itself.</p> <p>However, the Mendip Garden Village proposal remains in its early stages and is going to be the subject of several rounds of consultation before there is any degree of certainty regarding this strategic project coming forward. It may be that following consultation, in place of a new Garden Village, North Somerset Council resolve that proportionate extensions to the southern edge of Congresbury and to the north of Langford/Churchill may be more appropriate.</p> <p>The point is that an 'Area of Separation' has no current Policy grounds upon which its necessity can be justified.</p> <p>There is a greater case for an 'Area of Separation' to the north of Congresbury to separate Congresbury from Yatton; taking forward prevailing planning policy rather than second guessing emerging planning policy. However, no such areas of separation is being proposed in the draft Neighbourhood Plan.</p> <p>In the light of the above, Mrs Harris would like to oppose the necessity to include an Area of Separation' in the merging Neighbourhood Plan. The new garden village is far from a conclusive designation in the Local plan and will be subject to numerous consultation stages before it is dismissed / adopted and this 'area of separation' has no foundation as a designation having regard for prevailing adopted planning policy.</p>	
<p>Andrew Ross (Turley Associates)</p>	<p>Policy EH2 – Area of Separation Policy EH2 seeks to designate an area of separation located to the south of the settlement boundary of Congresbury.</p>	

Respondent	Comment	Attached documents
	<p>The Policy confirms that it requires the landscape between Congresbury and Churchill & Langford to remain open to protect the character and identity of the landscape.</p> <p>We question what specific technical evidence has been prepared to support and justify this separation policy. The evidence based justification for such a policy is critical. All evidence to support and justify the Neighbourhood Plan should be made available for robustness and transparency, as without such justification a restrictive policy such as an area of separation will not meet the basic conditions for a Neighbourhood Plan policy. Furthermore, within the justification for this policy it is confirmed that the JSP plans for an additional housing requirements of 30,000 homes for the West of England region. It is unclear where this figure has originated, Policy 1 of the Publication draft of the JSP confirms that with a contingency the total housing requirement over the plan period is 108,000 dwellings in the West of England region. The housing requirement for North Somerset within Policy 1 is identified as being at least 25,000 dwellings over the plan period (2016 – 2036).</p> <p>We also question how the boundary for this area of separation has been defined. Were it to be appropriately justified, a more logical approach to defining the area of separation would be to use existing geographical features to set the limits for the future expansion for Congresbury. There is however a need in the first instance for thorough evidence to justify the principle for this policy and define the detailed boundary that does not currently exist.</p> <p>Within the justification text for Policy EH2, it is confirmed that Policy CS19 of the North Somerset Core Strategy (2017) identifies the acceptability for a Strategic Gap to be located between the settlements of Congresbury and Yatton. The specific location for this Strategic Gap is confirmed in Policy SA7 of the North Somerset Site Allocations Plan (2019). It is important to highlight that this designation was subject to extensive evidence, including the Strategic Gaps Background Paper, which was prepared to support the preparation of the Site Allocations Plan. This demonstrates the level of evidence required to designate an area of land for a restrictive Strategic Gap policy. Should the Parish Council pursue Policy EH2 as drafted, it would be expected that a similar level of evidence is provided to that used to show the acceptability of Policy CS19 and Policy SA7.</p> <p>We request that the drafting of this policy is re-visited, additional information to confirm the necessity of this policy and the extent of the area of separation should be provided, alongside a sufficient evidence base. This is to ensure</p>	

Respondent	Comment	Attached documents
	<p>that the future supply of housing is not unduly restricted and the basic conditions for the preparation of a Neighbourhood Plan can be met.</p>	
Gladman Developments	<p>Map 7 of the CNP identifies a large area to the south of Congresbury as an area of separation. The aim of the policy is to protect the open aspect, character and identity of the landscape between Congresbury, Churchill and Langford.</p> <p>Gladman object to the area of separation identified and consider that its application amounts a blanket restriction on development in conflict with PPG2. Gladman therefore request that Policy EH2 is removed from the CNP.</p> <p>The settlements of Churchill and Langford are located around 2.5km from the southern built-up edge of Congresbury. There is limited inter-visibility between Congresbury, Churchill, and Langford.</p> <p>Silver Street and Venus Street are identified by the Parish Council as being located at a ridge forming the natural boundary to the settlement. The contours around Congresbury in this location are however much more subtle with the B3133 following this small ridge to the south east of the village. Neither Silver Street nor Venus Street form the absolute southern boundary to the village with development located on Nomis Park and Silver Mead both south of this road.</p> <p>Whilst Gladman acknowledge that the conclusions of the North Somerset Landscape Assessment state that the area to the south of Congresbury is of high sensitivity, this does not necessarily prevent development in this area nor lead to the conclusion of the need for the identified area of separation. Indeed, this is evident by the approval and allocation of land for 14 dwellings on land to the south of Venus Street.</p> <p>North Somerset Council had the opportunity to define areas of separation through the preparation of its statutory development plan as recently as 2018 with the North Somerset Landscape Assessment forming part of this evidence base. The decision to pursue this was made in relation to land laying to the north of Congresbury and south of Yatton. However, an area of separation to the south of Congresbury was not considered.</p>	

Respondent	Comment	Attached documents
	<p>The boundaries of this Area of Separation appear arbitrary with the proposed designation not even extending to the southern edge of the CNP boundary. This is despite the evident role the land beyond to the south would have in maintaining the current gap between the settlements of Congresbury, Churchill and Langford. As a result, development could occur within this area which undermines this gap. The policy does not therefore provide effective protection to this gap, even were it to be justified.</p>	
Yatton Parish Council	<p>Yatton Parish Council supports the idea of creating an Area of Separation to the south of Congresbury. We agree that it is important to maintain character, landscape and sense of community in our local villages.</p>	

Plan section	Policy EH3: Local Green Space
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Respondent	Comment	Attached documents
Persimmon Homes Severn Valley	<p>The plan identifies three new areas of Local Green Space. However we consider there are a number of issues with the policy and its justification.</p> <p>Firstly the policy is to <i>'preserve the local distinctive landscape by applying for Local Green Spaces for the following areas'</i>, so it is not a specific allocation in the plan and it is effectively an intention to allocate Local Green Space. Also it is not clear what <i>'by applying'</i> means and there is no explanation of how the Local Green Space proposed will be formally allocated following submission of the Congresbury Neighbourhood Development Plan.</p> <p>Secondly the Congresbury Neighbourhood Development Plan contains no submitted evidence to support the allocation of the proposed Local Green Spaces. In that respect the position is similar to that of the proposed area of separation (see comments under Policy EH2 above). In preparing the Site Allocations Plan and allocating a number</p>	

Respondent	Comment	Attached documents
	<p>of Local Green Spaces, North Somerset Council produced a background document in March 2016 at the consultation draft stage and updated this in October 2016 at the submission stage. These documents assessed each Local Green Space against 5 factors – beauty, historic, recreation, tranquillity and wildlife, together with a written justification for each area. This establishes an appropriate methodology for producing an evidence base for the allocation of Local Green Space in North Somerset and for consistency it would be appropriate to use the same assessment for the allocation of proposed Local Green Spaces in Congresbury. Whatever, the Congresbury Neighbourhood Plan must produce appropriate evidence to support its proposals (NPPG ID:41-040).</p> <p>The only justification for the intended allocation of the three new areas of Local Green Space is contained in the Basic Conditions Statement, which says '<i>Policy EH3 identifies three new areas of Local Green Space which will contribute to the network of green infrastructure across the Parish and is therefore in conformity with CSI</i>'. The justification to the policy within the Neighbourhood Plan to support the allocation of each of the areas is purely descriptive and lacks the rigorous assessment carried in the Site Allocations Plan and does not satisfy the high level tests set out in paragraphs 99-101 of the NPPF (not paragraph 77 as referred to in the Neighbourhood Plan).</p> <p>We note that two of the proposed new areas of Local Green Space are existing playing fields and recreation areas. Therefore the assessment should also consider whether there is a need for an additional level of protection provided by the Local Green Space designation on these areas, which is equivalent to Green Belt protection, or whether they are adequately protected by virtue of their existing status.</p> <p>We do not consider it is appropriate to have different areas of Local Green Space allocated in two different plans within the same area on the basis of different evidence base, where both plans form part of the statutory development plan for the area.</p> <p>We also note that the recent examination of the Yatton Neighbourhood Development Plan resulted in the deletion of six proposed areas of Local Green Space due to the lack of evidence to justify them, save for another section of the Gang Wall which was found to be demonstrably special to the local community for reasons of historical significance. Notwithstanding that finding, it is still necessary for the Congresbury Neighbourhood Plan to produce its own appropriate evidence to justify a similar outcome for the Gang Wall in Congresbury.</p>	

Respondent	Comment	Attached documents
	<p>For all the above reasons Policy EH3 fails to meet Basic Condition 2 (e).</p>	
<p>Environment Agency</p>	<p>The Environment Agency's comments remain as set out in previous correspondence dated 26 September 2018.</p> <p>However in addition, we wish to make the following comments:</p> <p>We have concerns with Environmental Policy EH 3 to designate Gang Wall as a Local Green Space. Whilst we want to protect Gang Wall from development and maintain its current line, it forms a designated Reservoir Act structure for an essential flood storage area, which helps to protect downstream communities from flooding and the mainline railway. There is a spillway downstream of Congresbury on the right bank, which allows the Congresbury Yeo to spill into low lying land upstream of Gang Wall, reducing the level of the Congresbury Yeo and therefore reducing flood risk to Congresbury, in conjunction with the storage area at Millennium Green. Gang Wall forms an impounding structure, which allows the flood storage area to function. We object to the designation as it is essential that in the future we have the power to carry out any essential work to allow the continued safe use of the flood storage area. We may need to maintain the bank to remove trees where roots could cause structural damage to the bank. We may need to raise the embankment along with other works. We are concerned that any additional designation will hinder any works required to allow the flood storage area to function and comply with the Reservoir Act. Given that Gang Wall is within flood zone 3 and forms part of a flood storage reservoir, it is already afforded protection against development. We would object to any lowering or removal of the embankment to enable development. As such we do not believe it requires additional protection which could then hinder its function as a reservoir structure.</p> <p>We also object to any designation of the Millennium Green and Congresbury Yeo, which would reduce our ability to operate and maintain flood defences and structures.</p> <p>STRATEGIC ENVIRONMENT ASSESSMENT / HABITAT REGULATION ASSESSMENT SCREENING REPORT</p>	

Respondent	Comment	Attached documents
	<p>With regard to the SEA, we are a statutory consultee for SEAs and provide advice to Local Planning Authority's on the scope and findings of the SEA.</p> <p>Objectives should be included to protect and enhance the environment and the indicators' should relate to the environmental constraints in the local area. This would normally include flood risk management, water quality, and biodiversity.</p> <p>We also recommend the SEA takes account of relevant policies, plans and strategies, including the Government's 25 Year Environment Plan, the Local Authority's Strategic Flood Risk Assessment (SFRA), flood risk strategies and the South West River Basin Management Plan.</p> <p>If you wish to discuss any of the above I can be contacted on the number below.</p> <p>Please quote the Agency's reference on any future correspondence regarding this matter.</p>	
Yatton Parish Council	Yatton Parish Council supports the proposals for Local Green Spaces in Congresbury, believing these to be an important way of protecting the rural character of our villages at a time of increased development pressure.	

Plan section

Policy EH4: Landscape and Wildlife Preservation Measures

Respondent	Comment	Attached documents
Persimmon Homes Severn Valley	<p>Persimmon Homes Severn Valley do not consider Policy EH4(b) in relation to 'dark skies' is appropriate or supported by evidence. National guidance is provided in NPPF paragraph 180, which says policies should take account of the 'potential sensitivity of the site or the wider area to impacts that could arise from the development' and should 'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscape and nature conservation.'</p>	

Respondent	Comment	Attached documents
	<p>This does not support a policy approach that development proposals <u>must</u> adopt a dark skies policy. Such a high level test might be appropriate in designated areas such as Areas of Outstanding Natural Beauty or National Nature Reserves, or even where development has direct impacts on a designed wildlife site or subject to provision of appropriate evidence. However, but it does not justify such an approach in a village, which is otherwise relatively unconstrained in planning policy terms. Neither is it clear in the policy or the justification, how the policy will be operated. It contains no specific criteria against which individual development proposals or mitigation of any impacts would be judged.</p> <p>Therefore for the above reasons we consider EH4(b) is not ‘<i>clear and unambiguous</i>’ and ‘<i>drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications</i>’ and it is not ‘<i>precise and supported by appropriate evidence</i>’ and so it is contrary to NPPG ID:41-041 and therefore fails to meet Basic Condition 2(a).</p>	
Yatton Parish Council	<p>Yatton Parish Council supports the proposals to encourage “dark skies”. Local ecosystems do not follow parish boundaries and the protection of suitable environments for nocturnal creatures is of great importance across our area.</p> <p>The Strawberry Line is an important local amenity serving many parishes. Its ecological value is a key part of its attraction for local residents, so Yatton Parish Council agrees that providing buffer zones around the Strawberry Line to protect its wildlife would be beneficial.</p>	
Plan section	Policy E1: Retention of Business and Employment within the Parish	

Respondent	Comment	Attached documents
Persimmon Homes Severn Valley	<p>Policy E1 is contrary to NPPF and NPPG guidance on reuse of land which does not include an exception test for the release of land for alternative uses. In making effective use of land, NPPF paragraph 117 requires as much use as possible to be made of previously developed land, paragraph and 118 to give substantial weight to using suitable brownfield land within settlements, promoting use under-utilised land and buildings. Planning policies and decisions need to reflect changes in demand for land and until plans are reviewed applications for alternative uses on land should be supported.</p> <p>In addition the approach is not supported by local policies. Core Strategy Policy CS28 supports economic activity of the appropriate scale within settlement. Therefore neither national nor local policy supports the refusal of the planning permission for the conversion of employment to residential.</p> <p>In addition the policy also contains a negative requirement (residential use will not be granted), which is inappropriate. Plans should be positive and reflect the presumption in favour of development and NPPG ID41-004 says a Neighbourhood Plan should '<i>plan positively to support local development.</i>'</p> <p>For these reasons Policy E1 fails to meet Basic Conditions 2(a) and 2(e).</p>	

Report run at 6 Mar 2019 15:38:25. Total records: 53.