

Congresbury Neighbourhood Development Plan

Examiner's Clarification Note

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and distinctive vision for the neighbourhood area. In particular it addresses a series of important issues in a positive and effective fashion.

The layout and presentation of the Plan is good. The various maps add to its depth and interest. The differences between the policies and the supporting text is very clear. The combination of text, charts and maps maintains the interest of the reader throughout the document.

Points for Clarification

I have read the submitted documents and the representations made to the Plan and have visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council. The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

While the Parish Council has been fully supportive in the development and writing of the Congresbury Neighbourhood Development Plan, it has been submitted by the Neighbourhood Development Plan Steering Group. Therefore, these comments are submitted by the Steering Group which was originally set-up by the Parish Council. The Steering Group has included two members of the Parish Council, the Clerk and the local Ward Councillor. The make-up of the Parish Council changed after the elections on May 2nd 2019. Therefore we ask the Examiner addresses any comments to the Steering Group. These responses have been submitted and were noted at the Full Council meeting on 13th May 2019.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy H1

1) How does c) relate to Core Strategy policy CS32 and its paragraph 4.85?

The Steering Group recognises the need for the Congresbury Neighbourhood Development Plan to be consistent with North Somerset Council planning policy. We are aware that the current Core Strategy sets out the broad long-term vision, objectives and strategic planning policies for North Somerset up to 2026. The group needed to be mindful of the West of England Authorities Joint Spatial Plan which will identify the needs for housing, employment and key infrastructure 2016-2036 and the emerging North Somerset Council Local Plan 2036. Therefore, the Steering Group, with advice from North Somerset Council Officers, opted to set the Congresbury Plan to align to 2036. We did not want our plan to become immediately redundant with any adoption of new policies and plans. We agree that there is uncertainty at the present time to exactly what the policies of the JSP and Local Plan will contain.

Congresbury is designated as a Service Village within the adopted North Somerset Core Strategy and as such the current development plan allows for residential schemes to be brought forward adjoining the settlement boundary of up to about 25 dwellings. However, the village of Congresbury has recently been subject to development which has resulted in a number of much larger housing schemes 'bolted on' to the edge of the settlement. Congresbury Parish Council wanted to prepare a neighbourhood plan in order to influence where new housing development would go within the village with an emphasis on smaller housing sites in sustainable locations.

North Somerset Council has granted planning permission for applications which are contrary to the current Core Strategy policy CS32 paragraph 4.85 which includes;

- a) 16/P/1521/O Outline planning application for the erection of up to 50 residential dwellings (including up to 30% affordable housing), structural planting and landscaping, informal public open space, surface water attenuation, vehicular access point from Wrington Lane and associated ancillary works. All matters reserved with the exception of the main site access point Land off Wrington Lane Congresbury.

This application was approved on 13 April 2016 before CS32 had been adopted in Jan 2017. It was however, then included as an emerging allocation in the Site Allocations Plan consultation draft (March 2016) and Publication Version (October 2016) although not formally adopted as an allocation until April 2018.

- b) 15/P/0519/O Outline application for residential development of 38 single and two storey dwellings (including 11 affordable homes) with vehicular access off Wrington Lane/Cobthorn Way together with open space, landscaping, drainage features and pumping station. Details of access to be decided but all other matters reserved for subsequent approval Land South of Cobthorn Way off Wrington Lane Congresbury.

This application was approved on 8 Feb 2017 after CS32 had been adopted in the Core Strategy so was contrary to CS32 due to the planning authority being unable to demonstrate a 5 year supply of deliverable housing land. The site was subsequently allocated in the Site Allocations Plan.

Both the above applications are adjacent to the settlement boundary but permission was given for over 25 dwellings. The Steering Group is in agreement with the draft Local Plan 2036 Issues and Options document paragraph 3.2 Settlement Boundaries; especially with the fact that they need to be reviewed. The Neighbourhood Plan is in agreement with Option 2 in this document which is to adjust the settlement boundaries to include new allocations within the boundaries but remove the current policy which allows sites to come forward adjacent to the boundary and have therefore decided to apply this option through the NDP through allocating enough sites to meet the housing need, plus amending the settlement boundary to incorporate new allocations and allow for windfall development.

2) Is e) necessary in this policy when it is addressed (and cross-referenced in the submitted policy) in EH2?

Yes, the Steering Group believes that H1 (e) is necessary in this policy titled Sustainable Development Location Principles. We recognise that there is an overlap between the two policies; however they have two different purposes. EH2 is to protect the high sensitivity of the area with regard to the landscape. This is outlined in detail in the justification for the policy.

H1 (e) is justified on the facts that a) any development would be a considerable distance from the centre of the village and as such deemed as unsustainable. This was upheld in the Appeal Ref: APP/D0121/W/15/3004788 - Land off Brinsea Road, Congresbury, North Somerset BS49 5EX. Paragraph 43 of the decision notice states *'Given the site's peripheral location, this is a significant shortcoming and I share the views of the Council and local residents that private car journeys are likely to be the predominant means of accessing local services and facilities. I conclude, therefore, that local services and facilities are not readily accessible from the site by means other than the private car'*.

In addition, the policy H1 (e) also aims to provide a distinct gap between Congresbury and Churchill/Langford and protect Congresbury against any adverse impacts from the potential Mendip Spring Garden Village as proposed in the Joint Spatial Plan. The negative aspects are being described as the loss of our village identity and the loss of Congresbury individual village character.

3) In f) on what basis has the figure of 150 dwellings been reached? The text on page 15 largely provides the same information without providing further detail.

The Congresbury Neighbourhood Development Plan period is from 2018-2036 to align with the emerging planning framework of the Joint Spatial Plan (JSP) and the emerging North Somerset Local Plan 2036.

In terms of housing requirement for North Somerset over this plan period the JSP identifies that 1000 new homes will need to be allocated in North Somerset to meet requirements for 'non-strategic' growth. Non-strategic growth refers to housing sites that will be distributed across the district in the towns and villages. There are currently four towns and nine 'Service Villages' (i.e. villages which are considered sustainable and able to accommodate some additional growth) in North Somerset.

If the 1000 non-strategic homes were distributed equally across the Towns and Service Villages each settlement would need to accommodate around 77 dwellings between 2018-2036. If it were distributed just across the service villages this would result in each Service Village needed to accommodate around 111 dwellings.

Therefore, it is felt that the Congresbury NDP, in proposing 150 dwellings, has more than met its fair share in terms of meeting the housing requirement for non-strategic growth over the plan period. The NDP allocates site for a total of 90 dwellings and has significantly amended the settlement boundary of the village which will allow further sites to come forward as windfall. Based on past small site windfall trends for Congresbury (see Appendix 1) which show an average of 4 dwellings per annum, it is anticipated that approximately 72 dwellings would come forward as windfall sites during the plan period.

4) What is meant by section g) of the policy? As I read this part of the policy it suggests that higher densities will be allowed closer to the village centre than elsewhere. Is this interpretation correct?

Policy H1 (g) has been added as there is a strong possibility for the plan period of up to 2036 that some buildings in central locations could become redundant and therefore be replaced by new buildings. This policy embraces the possibility of providing flats in the village centre which the Steering Group believe are lacking. The development possibilities in the village centre would be maximised by having higher densities. Residents in the initial postcard survey expressed concerns that young persons could not afford to stay living in the village. An increase in the number of smaller units would increase this possibility.

Policy H2

5) Part a) appears to conflict with Core Strategy Policy CS32 and paragraph 4.85. In addition, what is the significance of the 25-dwelling limit on any site within the settlement boundary?

The limit of 25 dwellings per site is based on the figure identified in CS32 which is considered to be an appropriate scale of development for a Service Village.

The Inspector at the Core Strategy examination into policies CS6, CS14, Cs19, CS28, CS30, CS31, CS32 and CS33 stated, in paragraph 69 of his [Report \(8 Nov 2016\)](#) that “*Service villages are quite capable of handling, without harm, a range of smaller schemes within or adjoining their settlement boundaries, designed in keeping with their surroundings*”. Paragraph 70 goes on to state that by allowing sites of 25 dwellings to come forward at Service Villages it “*strikes the right balance by supporting new development within or adjoining the settlement boundaries, whilst ensuring that the form, design and scale of development respects the local character and reinforces local distinctiveness, has regard to housing requirements and does not have significant adverse impacts on infrastructure*”.

Therefore, sites of 25 dwellings are considered an appropriate size for a Service Village.

In terms of the conflict with paragraph 4.85 of Policy Cs32 of the Core Strategy our response is the same as policy H1 (c) above mainly that the Steering Group is mindful of the West of England Authorities Joint Spatial Plan which will identify the needs for housing, employment and key infrastructure 2016-2036 and the North Somerset Council emerging Local Plan 2036 Issues and Options document. The Steering Group is in agreement with the emerging Local Plan 2036 Issues and Options document paragraph 3.2 Settlement Boundaries; especially with the fact that they need to be reviewed. The Neighbourhood Plan is in agreement with Option 2 – Adjust the settlement boundaries to include new allocations within the boundaries but remove the current policy which allows sites to come forward adjacent to the boundary.

6) In b) how does the threshold of 5 dwellings relate to national policy and the contents of Core Strategy Policy CS16?

The Steering Group placed as a policy the lower threshold from the Joint Spatial Plan. It was felt that it would be more appropriate for Congresbury to be consistent with this figure up to 2036 rather than the figure in the Core Strategy CS16 which is under review as part of the emerging planning framework.

7) In section b) on what basis is a higher figure of affordable housing applied than that in Core Strategy CS16? Is there evidence to support such an approach?

The Steering Group placed as a policy the higher requirement from the Joint Spatial Plan. It was felt that it would be more appropriate for Congresbury to be consistent with this figure up to 2036 rather than the figure in the Core Strategy CS16 which is under review as part of the emerging planning framework.

8) Sections d) and e) are written as ambitions and ‘encouragements’ to certain types of development. I am minded to recommend modifications to that the two sections become supportive policies? Does the Parish Council have any comments on this proposition?

The Steering Group is aware of the Council's current Carbon Reduction Target and these policies are consistent with that Executive decision. The Steering Group is also mindful of the North Somerset Council's declaration that it recognises a 'Climate Emergency' and its commitment to explore active steps needed to make North Somerset carbon neutral by 2030, taking into account both production and consumption emissions. Therefore, we felt the need to support those ambitions in our policies and this is also apparent in Congresbury Parish Council's Planning Committee responses to planning applications recommending the fitting of solar panels and other measures as part of the approval process.

Specifically, on section e) of Policy H2 the final sentence which relates to the percentage of energy needs new developments should obtain from renewable sources, conflicts slightly with Core Strategy Policy CS2 and we are happy to remain with the requirements set out in CS2 rather than in the proposed policy. Therefore we are happy for this sentence to be deleted and for sections d) and the first sentence in section e) to become supportive policies.

Policy H3

9) Are the sites allocated in the Plan? The language used is 'potential' housing site allocations. This suggests uncertainty. In any event are the sites deliverable?

These are housing allocations and the word "potential" should be removed.

Site A – is access from Station Close possible in technical and ownership matters?

There is a current planning application and appeal for non-determination on this site. No issues have been raised by North Somerset Council Highways Officers in terms of accessing the site and there are no ownership issues in terms of access.

Site B – is access onto Station Road possible given the proximity of the pedestrian/cycle crossing to the former access into the station site?

The Steering Group believes that access onto Station Road is possible and no issues have been raised by North Somerset Council Highways Officer during the consultation stage. There may be minor mitigation proposals on any application.

Site D – is access onto the B3133 technical possible given the convex nature of the road alignment? Would any redesign work to the Smallway junction (presumably with the A370) affect the viability of the proposal?

There is a current application being considered by North Somerset Council.

18/P/3905/OUT Outline planning permission for up to 21 no. dwellings with access for approval with appearance, landscaping, layout and scale reserved for subsequent approval. Land at Smallway Congresbury.

North Somerset Highways have stated in their report dated 5.11.2018 that subject to conditions there are no highway objections to this application.

10) The sites are identifiable on Map 3. However, they do not provide clarity for development management purposes. Could the sites be shown separately on A4 or A5 plans?

All the proposed allocations will be available on North Somerset Councils online interactive mapping system which allows the user to zoom closely in on individual sites. However, for clarity an A4 map for each site has been produced and attached as Appendix 2.

Policy H4

11) What is the size of the site? At first glance it appears that it would be able to accommodate more than 10 dwellings

The size of the whole site is 0.66ha which if developed at 40dph would be about 20 dwellings. However, it is only proposed to develop half the site so 10 dwellings seems like a realistic amount.

12) Is access into the site possible in safety and ownership terms?

Unfortunately the letter from the privately owned area of land has gone astray. A further letter has been requested and will be forwarded to the Examiner as soon as it has been received. Access would be from the higher part of the location next to the existing property and therefore access from the drove road would not be required.

13) Which part of the site is the lower part of the site?

Appendix 3 is a map which shows the flooding and ownership on this site. The whole site is within Flood Zone 3a, but locally it is known that only the lower part of the site floods.

14) Is the second part of the policy (on allocations) policy or supporting text?

This site is allocated for 100% affordable housing to meet the local need for affordable housing as set out in the justification to the policy. In order to meet local need both initially and in perpetuity this site is subject to a local connection restriction secured via S106 Agreement and/or a Local Lettings Policy. The second part of the policy sets out the local connection requirement. It needs to be clear in the actual policy that a local connection restriction applies to this site, but the criteria could be set out in the justification.

Policies T1/T2/T3/F1

15) These policies are more about wider improvements to infrastructure and the use of CIL/Section 106 funding than policies. I am minded to recommend that they become non-land use policies/community actions. Does the Parish Council have any comments on this proposition?

The Steering Group would like T1(a) to remain as a policy as it is a key plan not only to provide a safe access to the Strawberry Line but will reduce speed of traffic into the village from Weston-super-Mare. The A370 widens as it comes into the village at the petrol station and it is felt that a main road should not get significantly wider at a village gateway. NSC Highways Officers have been supportive of this policy.

The Steering Group have no objection to T1 (b and c) and T2 becoming non-land use policies/community actions.

T3 (b and d) should remain as policies as there has been large community support for a reduction in speed limits in the village. This is important to residents as there has been several accidents including one involving a child who was knocked down whilst using the pedestrian crossing by the shopping precinct approximately 12 months ago. Many residents have also report near misses at the pedestrian crossing by the Plough Inn. This is the policy that residents are most passionate about and therefore the Steering group would like this to be fully supported.

Other sections in T3 could if the Examiner was minded be changed to non-land use policies/community actions.

Policy F2

This is a very good policy.

Policy EH1

16) This policy reads more as an ambition for action and further work rather than as a land use policy. I am minded to recommend that it becomes a community action? Does the Parish Council have any comments on this proposition?

The Neighbourhood Plan Steering Group feel that this needs to be retained as a policy, but are suggesting some slight re-wording of the policy to make it clearer that Part A of the policy is the Local Signage Policy. It is felt important that this is retained within the policy for development management purposes when case officers are determining applications for signage within the conservation area they can refer to the policy.

If the examiner feels it necessary the Neighbourhood Plan Steering Group would accept the last paragraph about Conservation Area Character Appraisals being a community action.

Suggested re-wording of EH1:

Policy EH1 – Enhance the Conservation Area and Protect the Village Cross

Listed and other locally important buildings and structures and archaeological sites will be protected and where possible enhanced to maintain the local distinctiveness of the area. ~~A Conservation Area Character Appraisal must be completed, and a management plan made available. Congresbury Conservation Group will be actively involved in the completion of the appraisal and management plan. Any funding from future North Somerset Community Infrastructure Levy and other sources will be sought for implementing the findings of the Management Plan including:~~

~~A) Enforcement of a local signage policy. In order to preserve and enhance the special character of the Conservation Area, and reverse the perceived negative impact of signage in the area, on the area and preserve and enhance the special character of the area businesses situated proposals for signage within the Conservation Area must comply with the following criteria: ~~policy which aims to reverse perceived negative impact on the area and preserve and enhance the special character of the area. The following principles must be applied:~~~~

- ~~i) Modern shiny finishes such as acrylic and applied vinyl are not appropriate and should not be used. Timber and metal are the most appropriate material to use.~~
- ~~ii) Garish and fluorescent colours are very unlikely to be approved, as they too are inappropriate with the existing signage of adjacent buildings. Although we recognise that many companies have specific corporate colours, if these are considered inappropriate for the area, it may be necessary to tone down the colour. Heritage colours are favoured.~~
- ~~iii) Lettering and symbols should be sign written directly on to the sign in paint and should not use applied vinyl lettering.~~
- ~~iv) Individual timber or metal lettering is often appropriate.~~
- ~~v) Signage on the upper floors of buildings and the internal illumination of signs are not acceptable.~~

vi) Free standing 'A' boards can cause obstruction to pedestrians and other road users and therefore are not permitted except where permission has been granted for a temporary event.

~~B) — A scheme to prevent further damage to the 15th century village cross from passing traffic on the B3133.~~

A Conservation Area Character Appraisal must be completed, and a management plan made available which includes a scheme to prevent further damage to the village cross; to both protect the cross and to improve the character of the conservation area. Congresbury Conservation Group will be actively involved in the completion of the appraisal and management plan. Any funding from future North Somerset Community Infrastructure Levy and other sources will be sought for implementing the findings of the Management Plan. ~~including~~

Policy EH2

17) I saw the sensitivity of the landscape when I visited the neighbourhood area. However, is this policy needed beyond normal countryside policies? What certainty, if any, exists for the garden village development at Churchill/Langford?

The Steering Group believes that the policy is required. Para 6.3.49 of the North Somerset Landscape Sensitivity Assessment (March 2018) states the following: *“Land to the south slopes to the east and there is a strong and vegetated urban edge. Development to the south of the village would affect the settlement form. Owing to the above, this land is of high sensitivity”*.

The landscape value of the area was outlined in the Appeal Ref: APP/D0121/W/15/3004788 - Land off Brinsea Road, Congresbury, North Somerset BS49 5EX. Paragraph 19 of the decision notice states: *“The appeal site is not protected by any formal landscape or other designations. Even so, in my judgment, the proposed development would have a significant adverse effect upon it. It would not be a natural extension of the village into a site surrounded by development, but the overspill of a substantial block of built development down from the ridgeline into the open countryside. This would fundamentally undermine the gradual transition from an area of low lying open land to one of an elevated settlement.”*

Further evidence is contained within the appeal decision Appeal Ref: APP/D0121/W/17/3176151 - Land to the east of Brinsea Road, Congresbury BS49 5JJ. Paragraph 28 states: *“Whilst accepting that the Council does not have any policy that prevents coalescence of the settlement proper and the ribbon of development along Brinsea Road, the development of the appeal site would create a substantial block of development, including roadside development of a wholly urban character that would undermine the gradual transition described above. In this respect, the role that this site also plays would be seriously undermined and would have a significantly adverse effect on the character and appearance of the area. It would therefore be in serious conflict with policies CS5, CS12 and CS32 of the NSCS and policy DM10 of the Council’s DMP. These policies amongst other things seek to ensure that new developments protects and enhances the character and distinctiveness of the area, considers the existing context of the site and its surroundings and demonstrates sensitivity to the existing local character, enhancing the sense of place and identity whilst integrating into the natural environment. I have no reason to believe that Reserved Matters could not be designed so as to meet with policy DM32 of the DMP.”*

As the area outlined is not protected by any formal designation the Steering Group believes that the normal countryside policies are not adequate to afford the protection required especially as the village is subject to considerable development pressure.

The Mendip Spring Garden Village at Churchill/Langford has been proposed as a Strategic Development Location in the Joint Spatial Plan since the Emerging Spatial Strategy document was published for consultation in November 2016. The JSP has now progressed to examination stage with hearings due in July and September/October 2019. North Somerset Council have submitted evidence in support of the proposed garden village and will be defending it at the examination hearings. There is significant objection to the proposed Garden Village, particularly within the local community. This is the current position and no further certainty can be given as to the development of Mendip Garden Village until the outcome of the hearings are known.

Policy EH3

18) I can see that the justification refers to the NPPF criteria. Has any detailed work been undertaken to assess the three proposed sites against the three criteria?

Both the King George V and Broadstones are situated in the centre of the village adjacent to the Stonewell housing estate. King George V playing field was given to the village in 1936 by the late Donald Harvey in 1936. The King George V Trustees work together with the Fields in Trust to maintain the land and provide sporting opportunities for the parish. There is currently a cricket pitch, 3 hard tennis courts, open space and a children's play area maintained by the Parish Council.

The Parish Council bought additional land to the west of King George V playing fields in 1980 which is known as Broadstones. This is rented to the Football Club for minimum rent again to ensure sporting and recreational opportunities are available. The field provides 2 football pitches and associated changing facilities. Both King George V and Broadstones have footpaths allowing access through to the Strawberry Line and beyond. The fields are greatly used and on many occasions act as meeting places for different village events. The Steering Group believes that these locations are fully compliant with the 3 criteria listed in paragraph 77 of the NPPF in that they are in close proximity to the community served, special to the community with regard to their recreational value but also the historic significance, especially of the King George V playing fields, and also the areas concerned are not extensive.

The Gang Wall is a medieval drainage bank and associated ditches, constructed before 1382 to separate the drainage areas of Yatton Moor to its west, and Congresbury Moor to its east. The monument is virtually complete and is extremely unusual for such a bank in having no road along its surface. Associated with it is Rennie's siphon, a structure designed by Sir John Rennie, to take the New Rhyne, new drainage works for Congresbury Moor, under the Yeo to an outfall downriver in Wick St Lawrence, during works of 1819-1827. The association of the two is unique.

Yatton Neighbourhood Plan has also designated the Gang Wall as a Local Green Space. Congresbury NP Steering Group agrees with the justification outlined in the Yatton NDP that *"The Gang Wall has been selected because it is surrounded by ditches and rhynes that are part of a Site of Special Scientific Interest, and it provides a different and important habitat as it is slightly raised, which also means it provides good views across the moors to Yatton and Congresbury. It therefore has value to the local community as a habitat for wildlife, as a way to enjoy the special character of the moors, and as an ancient structure dating back hundreds of years"*. Therefore the Steering Group believes that the Gang Wall meets the criteria of the NPPF.

19) Is a) The Gang Wall the same structure that was identified as Local Green Space in the Yatton NDP? Does the Gang Wall form the boundary between the two parishes?

Yes, it is the same structure and the Yatton Neighbourhood Plan has now been passed at referendum with the Gang Wall designated as a Local Green Space. A map is attached as Appendix 4 that shows the parish boundary and the Gang Wall.

20) Has the extent of the King George V Local Green Space been specifically defined to exclude the area identified for the potential community/sports pavilion?

Yes, a map is attached as Appendix 5 which shows this.

21) The policy identifies the three proposed local green spaces. However, it does not apply a policy approach to the defined areas. To remedy this issue and to provide the clarity for the development management process, I am minded to recommend a modification that applies the matter of fact approach to such designated areas in paragraphs 76 and 78 of the NPPF. Does the Parish Council have any comments on this proposition?

Please refer to the North Somerset Councils Report to the Executive on 19 March 2019.

Appendix 1 states that 'In areas where North Somerset Council considers that improvements are warranted to help make policies effective and deliverable then these have been stated in the table below'. The section that refers to the local green space's states:

"Amend wording of policy EH3 as suggested below to strengthen policy:

Preserve the local distinctive landscape *through designating* by applying for local green spaces for the following areas as Local Green Space:

- a) The Gang Wall ancient sea defence and path
- b) King George V
- c) Broadstones

Planning permission will not be granted except in very special circumstances for development which adversely affects a designated Local Green Space as shown on Map 8 particularly regarding the characteristics underpinning its designation, such as beauty, historic importance, recreational value, tranquillity or richness of wildlife.

It is understood that this document has been provided to you. Is this change of wording acceptable?

Policy EH5

22) The first part of the policy reads as an ambition. I am minded to recommend that it becomes a community action? Does the Parish Council have any comments on this proposition?

The Steering Group would suggest that having the first sentence as a community action is fine, but the remainder should remain as a policy.

Policy E1

23) In part a) on what basis are potential alternative residential uses highlighted? Should this part of the policy take account of permitted development rights?

Residential uses are highlighted in this policy as the evidence shows that most businesses were being lost to residential use. However, the intention of the policy is to resist the loss of employment uses to any non-business use.

Permitted development rights allow change of use from Class B1(a) office use to Class C3 residential. Policy E1 as currently written applies to B2 (General Industrial) and B8 (Storage and Distribution), but should also apply to B1(b) and B1 (c) for completeness. We don't consider the PD rights for change of use from office to residential to be a significant issue in the Neighbourhood Plan area as there are no large scale offices and as PD rights already exist this is beyond the control of the Neighbourhood Plan.

24) In part b) I suggest that the policy is clarified so that it applies only insofar as planning permission is required. In most cases such permission will not be needed. In part c) I suggest that 'support' replaces 'encourages'. Does the Parish Council have any comments?

These suggestions seem reasonable and we would be happy for them to be made.

25) What is meant by parts d/e? In particular is the Plan identifying them as employment sites?

(d) Green Holm nursery is allocated for employment and community uses and (e) Cadbury Garden Centre is allocated for employment uses in accordance with Policy SA4 of the [North Somerset Site Allocation Plan \(April 2018\)](#). A clearer map is attached as Appendix 6.

The Steering Group believes that key employment sites in the village should be maintained. The parish has limited employment opportunities and we want to maintain those which we have. The Green Holm Nursery has potential to be an employment site and there is demand for sites for small to medium light industrial/hybrid units (B1(c)/B8 in this area particularly from owner occupier investors as evidenced in [North Somerset Councils Employment Land Review](#). The 2018 Alder King Market Monitor (p.11) commented for the Bristol market (which also applies to North Somerset) in terms of demand that "there is a negligible amount of good quality stock and shortages of modern space have impacted on take-up" and "There is strong demand from owner occupiers for freehold space but few opportunities. And with the reduced levels of good quality available stock, rental incentives for prime space have reduced significantly with lease durations extending."

The Steering Group also feel that the land could also be potentially used for a community building such as medical facility or village hall/community building and therefore the additional designated use of 'community use' was felt to be also appropriate for this location.

26) Map 9 – has no key. What does it show? In the event that the Plan proposes the identification of the sites in d/e where are they located?

See Appendix 6 which has a clearer map of the employment allocations.

Representations

Does the Parish Council have any comments on the various representations made to the Plan?

Most of the comments come from developers/landowners including S Harris (landowner), Gladman Developments, Persimmon Homes, Freemantle Developments Ltd and Turley Associates leading the charge. From an analysis of the comments the main focus is on the same points, with the main challenges being:

- 1/ Policy H1(f) the limit of 150 houses.
- 2/ Policy H1(c) all development should be within the settlement boundary
- 3/ Policy H2(a) the limit of 25 dwellings per site
- 4/ Policy E1 (a) the restriction on converting business premises to residential use.
- 5/ Policy EH2 the adequacy of the justification for the area of separation

The Steering Group believes that the Examiners questions respond to these points and therefore do not need to be repeated.

The Steering Group needs to respond to the comment from Gladman Developments that there is a suitable site identified at Woodhill, Congresbury. Gladman Developments are promoting the site which is located to the north of the village of Congresbury and extends to 6.24 hectares. 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.

The Steering Group feel that this site is not sustainable. Access would be required from Wood Hill which is a very narrow road which becomes one-way with its meeting of the A370 at the bottom of Rhodyate Hill. The road has no footpath and due to it being narrow, it is believed that this would be prohibitive. The road is used as a high speed rat run for motorists when the Smallway junction becomes blocked or has any delays. This is becoming more frequent due to the large number of accidents at the traffic lights. Although Gladman Developments have outlined that the PRow would be enhanced, the site is still considerable distance from the main services and facilities of the village and any journeys would be made using private vehicles.

The site is immediately adjacent to the Green Belt and would be it would be a major intrusion on the landscape, completely urbanising the lower slopes of Cadbury Hill. A detailed check would need to be carried out with regard to further landscape intrusions and how any development would potentially detrimentally effect the wildlife and especially the bats as the proposed site is within Consultation Zone A (see <https://www.n-somerset.gov.uk/wp-content/uploads/2015/12/North-Somerset-and-Mendip-Bats-SAC-guidance-supplementary-planning-document.pdf>).

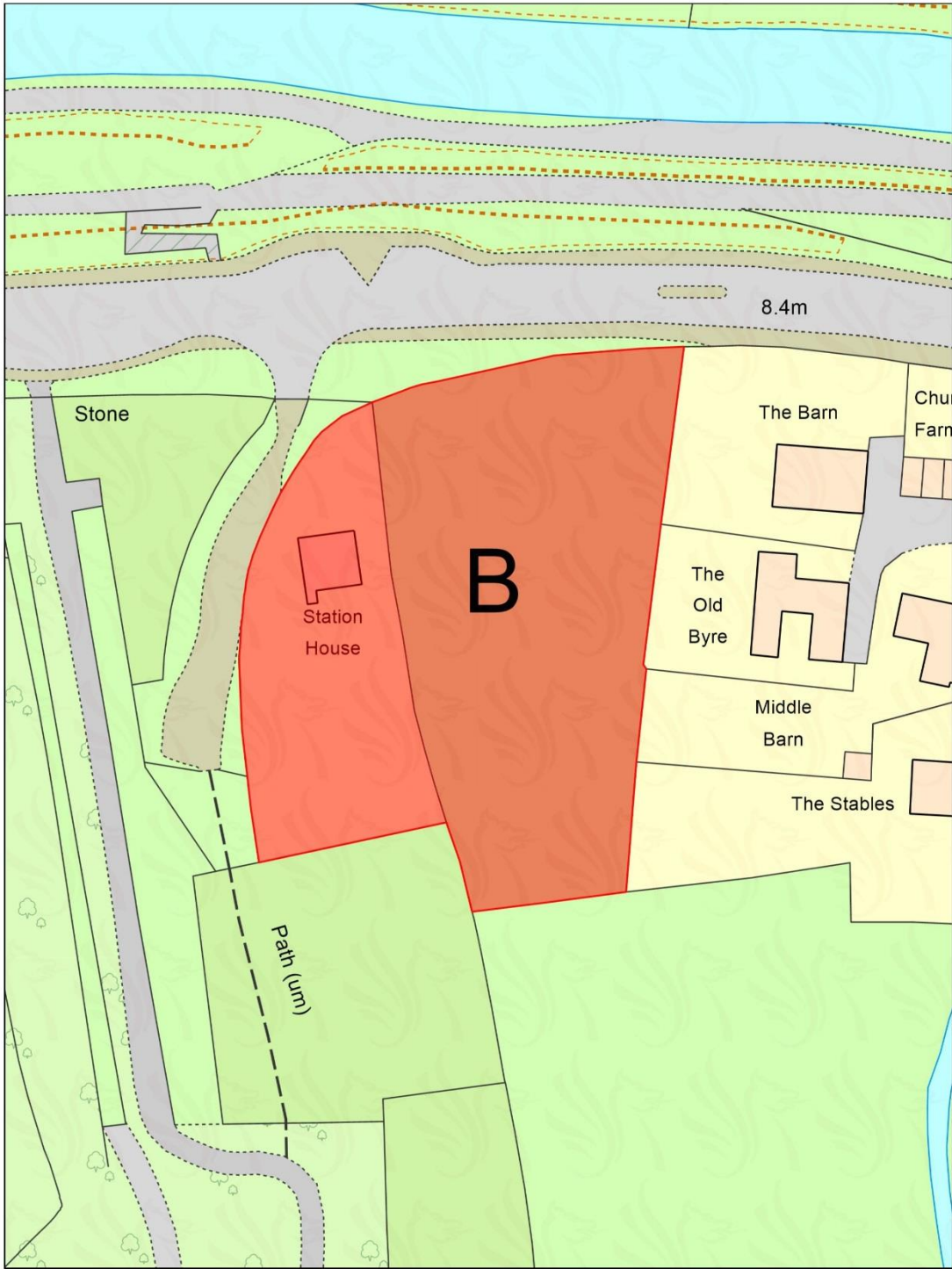
The Steering Group believes that this site must be robustly opposed and dismissed. It is not a sustainable site, it would be a major intrusion on the landscape, completely urbanising the lower slopes of Cadbury Hill with access from a totally unsuitable country lane (Wood Hill).

Appendix 1: Windfall statistics for Congresbury

Congresbury completions over time														
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	Total over period	Average per annum
Small site windfall	4	3	2	1	4	2	7	5	6	3	6	7	50	4
Large site windfall	0	0	0	0	0	0	0	10	24	5	0	0	39	3
Large site allocations	0	0	13	0	0	0	0	0	0	0	0	14	27	2
TOTAL COMPLETIONS	4	3	15	1	4	2	7	15	30	8	6	21	116	10
Total windfall	4	3	2	1	4	2	7	15	30	8	6	7	89	7
Over the Neighbourhood Plan period it would be reasonable to expect around 72 dwellings to come forward from small site windfalls (average of 4 per annum previously x 18 year plan period).														
It is not considered appropriate to predict forward large site windfall on the basis that the Neighbourhood Plan identifies and allocates large sites.														

Appendix 2: Housing Site Allocation Maps

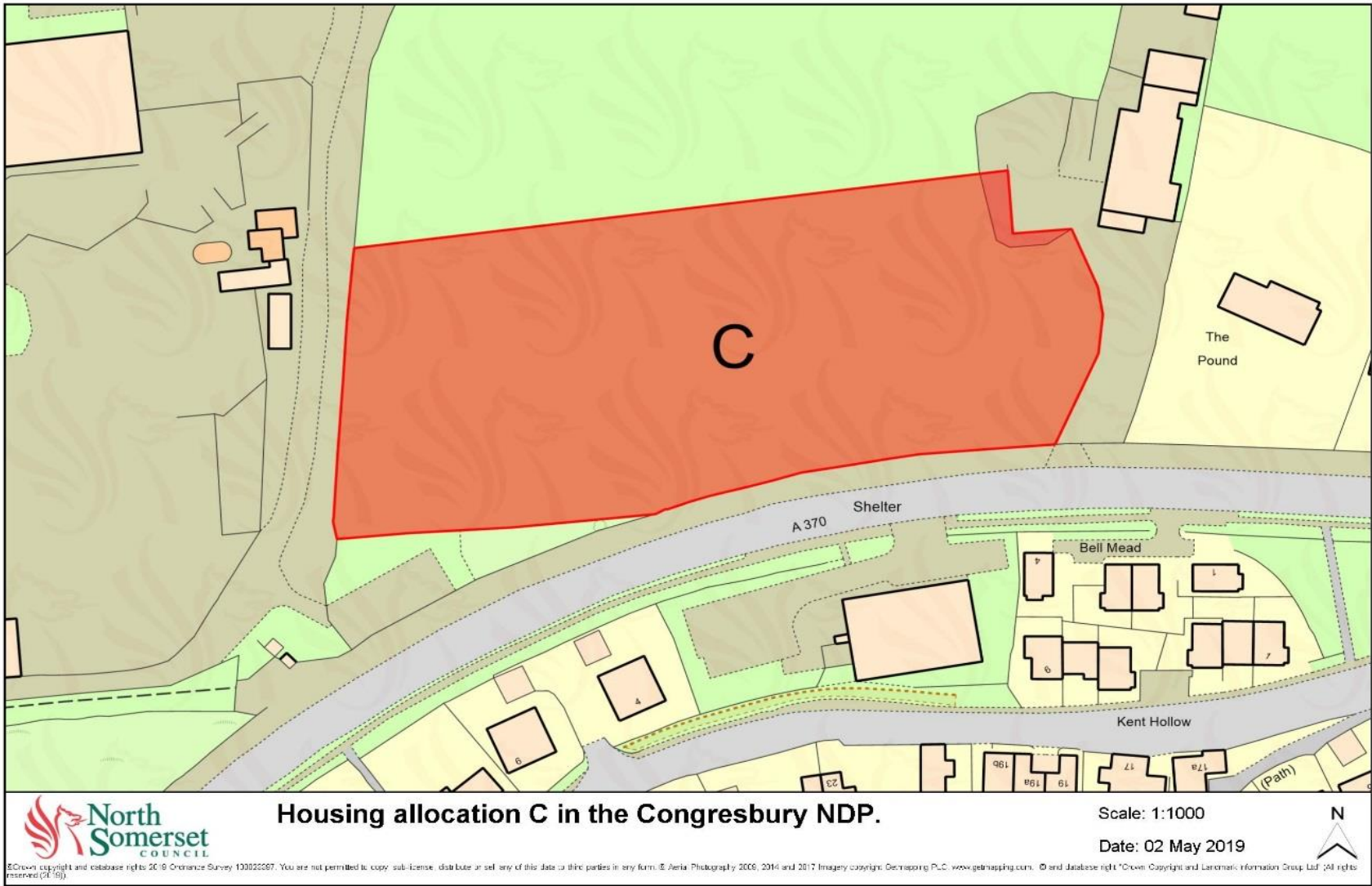


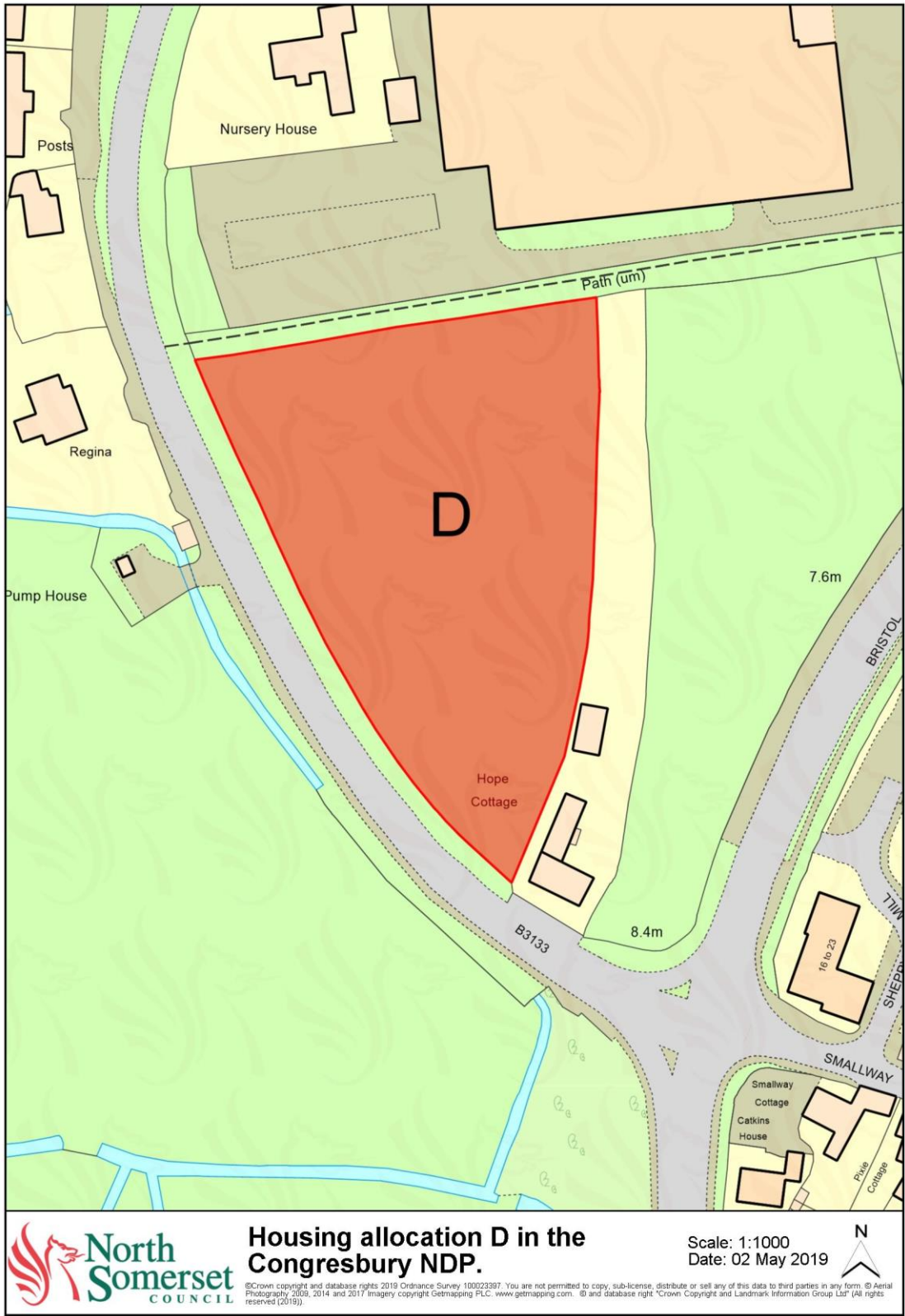


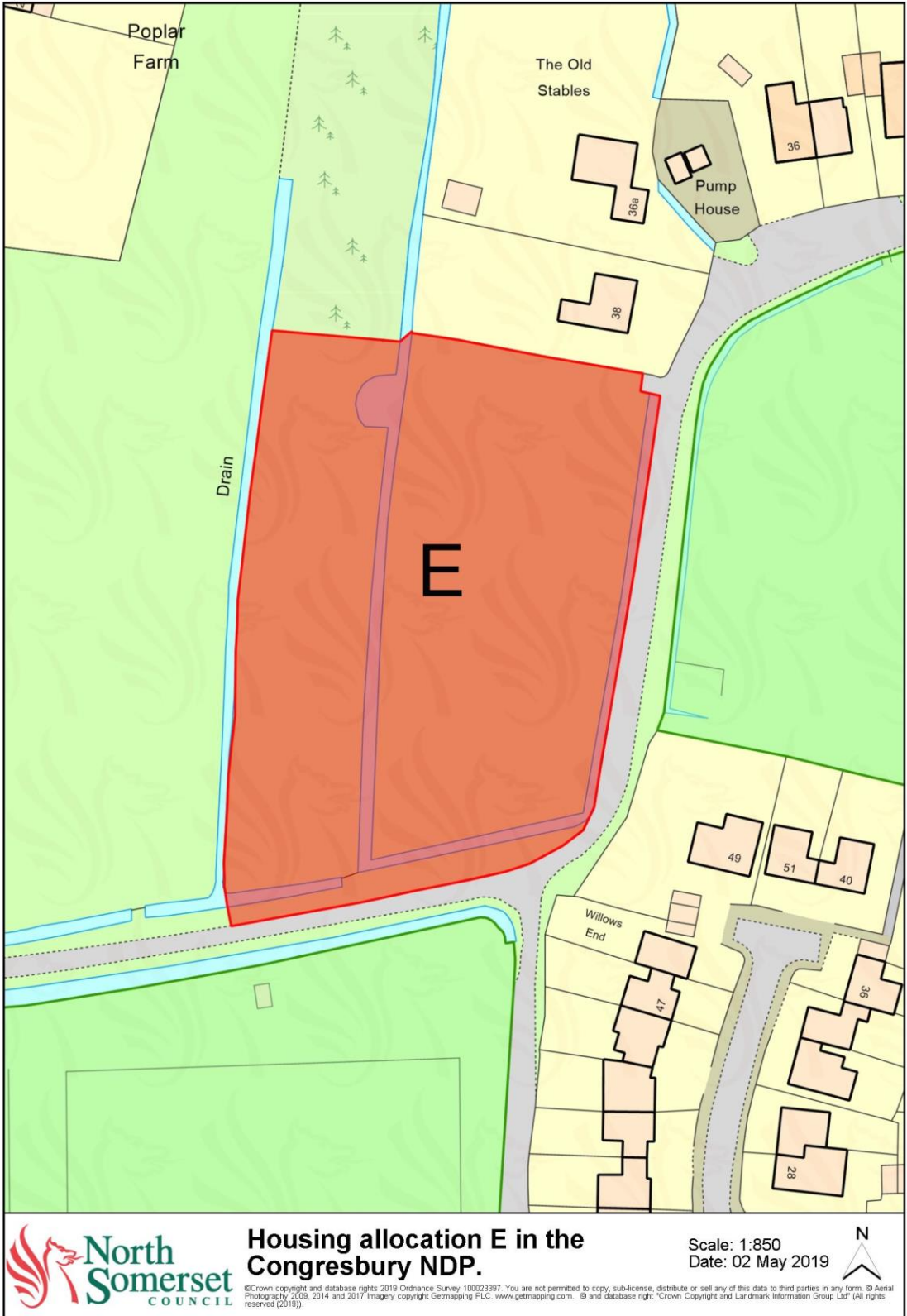
Housing allocation B in the Congresbury NDP.

 Scale: 1:500
Drawn by: Claire Courtois
Date: 02 May 2019
Time: 10:28:12 

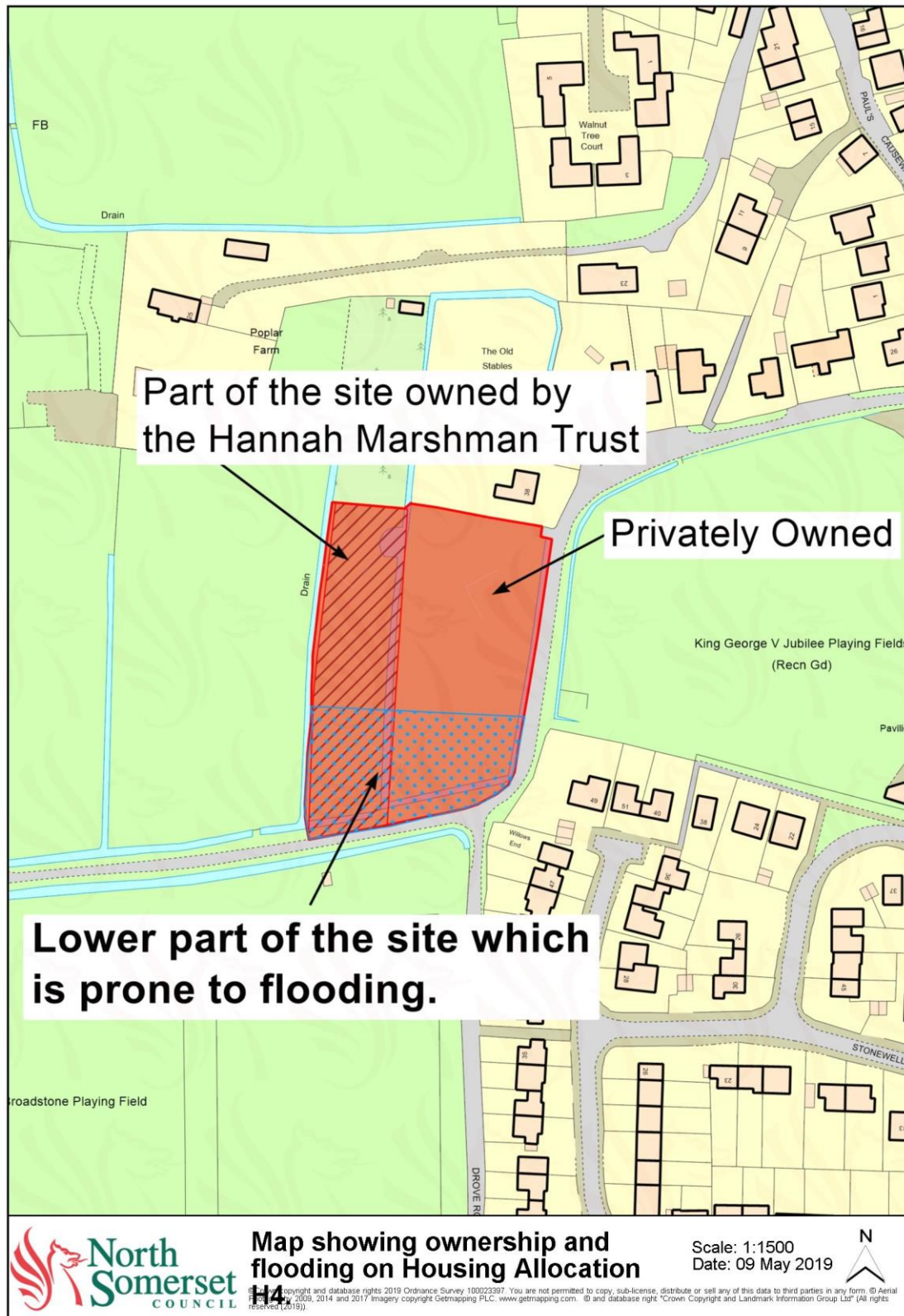
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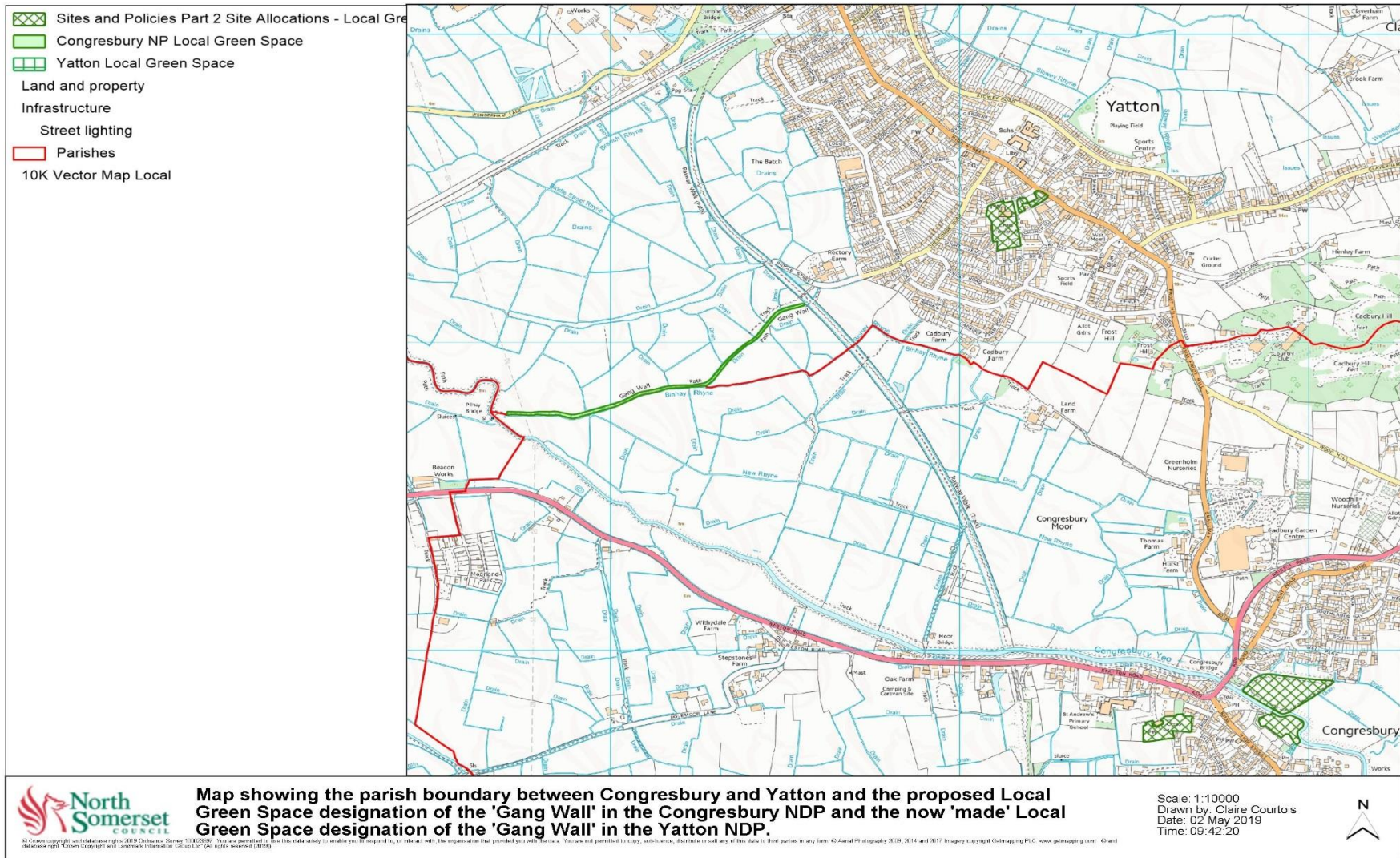




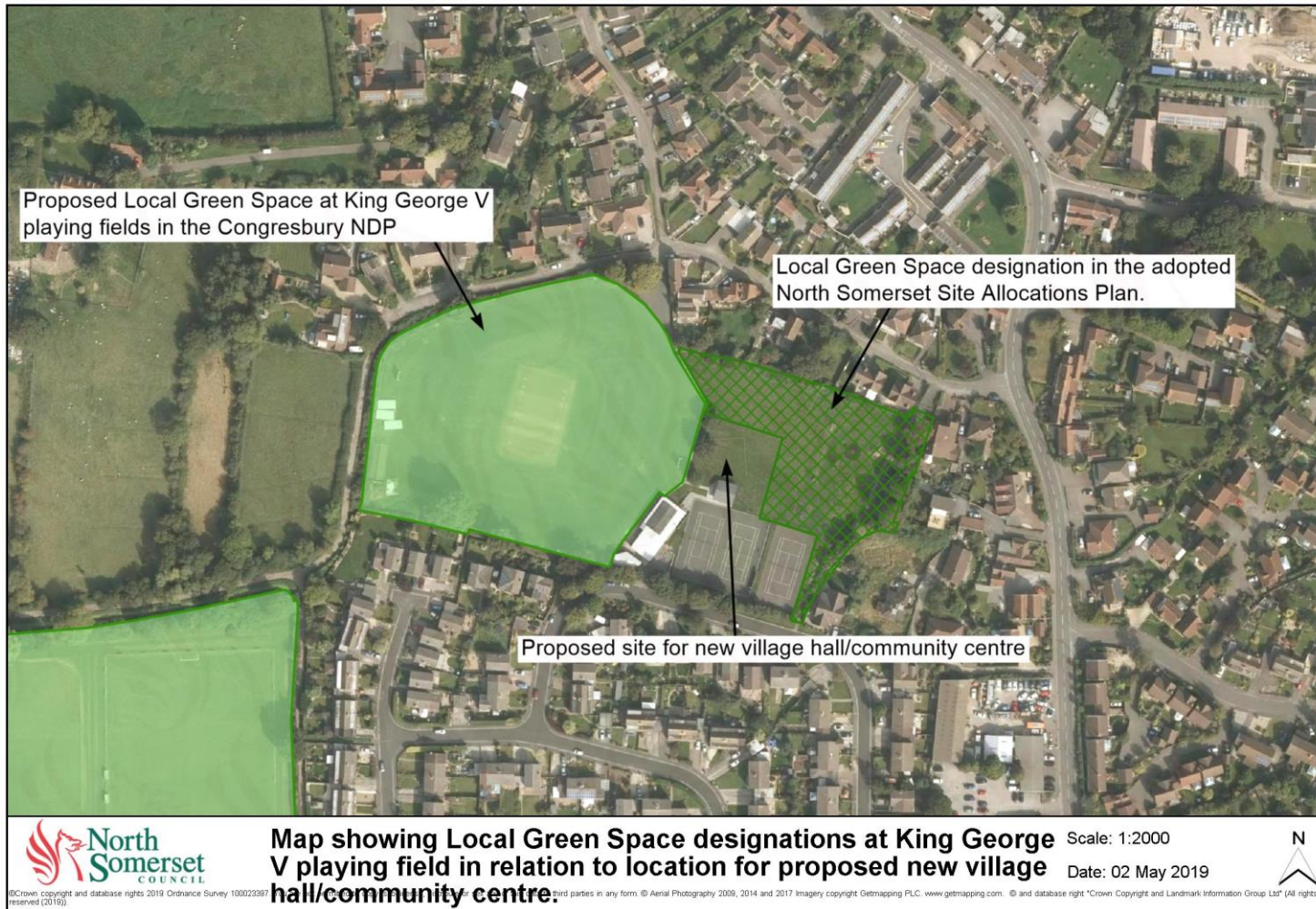
Appendix 3: Flooding and ownership on Site H4.



Appendix 4: Gang Wall Local Green Space



Appendix 5: King George V Playing Fields Local Green Space.



Appendix 6: Map showing employment allocations

