

Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan

Parish Councils' Response to the Examiner's Clarification Note (approved by both PCs, April 2021)

1 Initial comments

We would like to thank the Examiner for his initial comments which recognise the vision of the Neighbourhood Plan (NP), its presentation and layout, and the focus and direction it provides. The local community will be pleased and reassured by the observation that the process is an excellent example of a community and parish council driven Plan. We are also pleased that out of 34 Policies proposed in the Plan only four are recommended for deletion, albeit with replacement by a Community Action.

2 Questions for the parish councils

Parish Councils' Comment We recognise that some of the policies are aspirational and we would welcome proposals to make them clearer and more applicable to the development management process. We accept the proposition that modifications may be appropriate to bring greater clarity, subject to a request that:

- (a) modifications of Policies to Community Actions would continue to reflect the purposes of the original policies albeit expressed in more appropriate terms.
- (b) that the wording of the definition of Community Actions in the Plan (Section 1.2) should be amended to read

Community Actions which can be taken forward by the parish councils, community organisations, other agencies and North Somerset Council but are not explicitly planning focussed (coloured in blue).

This makes clear that some of the actions may require a parish council, community organisation, local business and North Somerset Council to work together to pursue NP objectives. Recent examples would be the recent collaborative work on tree planting on a number of the Open Spaces discussed in Section 11 and an agreement with Alliance Homes over the establishment of a maintenance programme for the Pill Precinct.

3 The Plan period and its implications

Section 5.5 of the Plan addresses three Scenarios for longer-term development in the neighbourhood area before any clarity has been achieved on the emerging Local Plan. What status (if any) do the two parish councils intend to give to the three Scenarios in general and the preference for Scenario 2 in particular by their inclusion in the submitted Plan?

Parish Councils' Comment. The relationship between the Plan (NP) and the strategic planning framework is set out in Section 2 of the submitted Plan. Since the NP was submitted (November 2020) that relationship has evolved. The North Somerset Local Plan 2038 has passed through two Choices and Challenges consultation stages to which the Parish Councils made submissions. There has since been a Report (NSC Executive, April 28th) which sets out the vision, aims and underlying principles which NSC think should underlie the Local Plan 2038.

Inclusion of the three Scenarios in the submitted Neighbourhood Plan was intended to convey the fact that the two councils, together with the community, had engaged in a process of thinking and analysis about the long-term future of the area. Discussed in Section 5.5 of the submitted Plan, the Scenarios of major, medium and minimal growth attempted – and succeeded – in stimulating knowledge of and understanding about the challenges and opportunities which might lie ahead over the longer-term. There was widespread agreement (evidenced in a survey undertaken at the Plan Exhibitions in autumn 2020 and in both the Regulation 14 and Regulation 16 consultations), that Scenario 2 offered the most welcome strand of strategic thinking and analysis about future development.

The Scenarios, however, are given no formal status in the submitted Neighbourhood Plan 2020-2026. Nor do any of the HO Policies set out in Section 5.10 relate to or depend on the Scenarios. The policies suggested for the period 2020-26 do not reflect the scale, pattern or location of development within or beyond the submitted Plan period. As indicated in our comment (below) on the specific representations from Brinkgreen Ltd., Persimmon Homes, Stokes Morgan Planning Ltd (see Stokes., L and Q Estates, and the Trustees of Captain WDH Wills., the submitted Plan in no way pre-empts the outcomes of Local Plan 2038. The Plan is in fact compatible with all of the three Scenarios since, whilst offering around sixty new dwellings up to 2026, the Plan makes no specific recommendations for the years thereafter. Indeed, the housing numbers indicated in the three Scenarios are illustrative and, as several respondents to consultation point out (e.g., Byrne), changes in the government’s housing targets would have implications for housing numbers in any Scenario.

To summarise, in response to the question as to *‘what status (if any) do the two parish councils intend to give to the three Scenarios in general and the preference for Scenario 2 in particular by their inclusion in the submitted Plan?’* Our answer is that the Scenarios would have no formal status that would affect development management up to 2026. The submitted Plan makes a clear commitment (Section 2) that *‘once a strategic framework has been finalised for North Somerset our Plan will be up dated and/or revised’*. Such an updated/ revised Neighbourhood Plan would need to address a different set of Basic Conditions reflecting up to date national and local policies and whatever NPPF guidance is required in response to any changes in government planning policy.

The absence of formal status given to Scenarios in the submitted 2020-2026 Plan is in contrast to their relevance to the Parish Councils’ approach to the NSC Local Plan 2038. We have engaged with NSC consultation exercises and offered a clear view on what we consider might be appropriate for the 2023-2038 period. A ‘Northern Corridor’ proposal encompassing Abbots Leigh, Easton-in-Gordano, Portbury and Portishead as a whole was suggested as a hybrid model combining the approaches suggested in the NSC Choices and Challenges Papers (Available on the Pill and Easton-in-Gordano Parish Council web-site on the Neighbourhood Plan page).

The Parish Councils’ preference for 2038 as expressed in its response to NSC Choices and Challenges consultation is for limited growth with new development located adjacent to existing settlements. Our aim is to continue to engage with the development of Local Plan 2038 and to reflect the vision, focus and direction of the submitted Neighbourhood Plan. We refer only to the level of growth that might occur in the Northern Corridor but do not identify the scale or location of specific sites. Many of the policies and community actions relating to active travel, environment, heritage, the local economy, climate change and community assets might well be relevant and useful to a new post-2026 Neighbourhood Plan, but they do not pre-empt what it might say.

Whilst neither the Neighbourhood Plan as submitted nor the Scenarios which have informed it carry any formal status in relation to the Local Plan 2038 it is entirely proper for the Parish Councils to present a consistent strand of thinking between the 2020-2026 NP as currently proposed and the emerging Local Plan 2038.

The demise of the West of England JSP in 2019, together with the impact of COVID-19 has meant that the NP has been delayed and will only have a five-year life. Nevertheless, we believe it is important to make progress. National policies on the planning system and the Green Belt have yet to be set out in detail. The housing numbers required in North Somerset may change (again), there may be local obstacles arising from the relationship between the West of England Combined Authority Local Plan and the emerging North Somerset Local Plan, and the review of settlement boundaries as part of the Local Plan 2038 may add further delay.

Thus, there can be no certainty about the time which it will take to finalise the Local Plan 2038 (especially with the JSP debacle in mind). There can be no certainty that a new Local Plan will have gone through all its stages by 2023. There have been arguments that the NP is premature pending the new Local Plan 2038 but our view remains that given that the NP has now been in preparation since 2016, our community would become disengaged and disillusioned by any further delay.

4 Policy Questions

Policy HO1 Given the location of residential and commercial premises in the immediate locality of the site did the parish councils consider identifying any specific criteria in the policy to shape its future development?

Parish Councils' Comment There are no designs at present pending demolition of the existing buildings, and the main concern of local neighbours is for removal of what is an often vandalised property. The owner/developer of the Orchard View site presented his ideas for the 3-acre site to a Parish Council meeting. A care home would occupy around a third of the site (probably facing onto Perrett Way with mixed tenure housing including affordable housing of up to 30 units further back facing onto the Watchhouse Hill Orchard. The remaining two sides of the site face onto office premises on the Eden Business Park, where parking for care home staff and visitors would be located (care home residents have no cars). The final designs will need to add up to a financially viable project for the developer but the Parish Council is keen on the provision of a significant element of affordable housing. Details of height, design, access will be specified in pre-planning and planning applications.

Policy HO2 What is the anticipated timetable for the submission of a planning application from the Community Land Trust for the development of the site? Does the policy bring any added value to national and local policies on exception housing sites and the Green Belt?
Policy

Parish Councils' Comment

(a) The planning application for Chapel Pill Lane was submitted on 20th April 2021.

Whilst the planning application and the Neighbourhood Plan follow separate and distinct procedural routes a number of the application supporting documents - Heritage and Archaeology, Landscape and Visual Impact, Arboriculture, Ecology, Transport and Community Involvement fill out the wider setting within which the specific Chapel Pill Lane affordable housing development is set.

(b) National and Local Policies NSC Core Strategy (CS17, para. 3.228) specifies that *'rural exceptions sites will be acceptable adjacent to settlement boundaries of Service Villages and Infill Villages, and elsewhere adjacent to the main body of the settlement'*. The NSC representation to the Examiner draws attention to this Core Strategy Statement. We include the HO2 policy to draw particular attention to the fact that in practice much of Ham Green – including the hundred houses on St. Katherine's Park, and Rock Cottages - lie outside the Pill Settlement boundary and are located within the Green Belt. This is an anomaly created by the planning exemptions made in the 1990s to use redundant rural hospital

sites. Policy HO2 does not add to national/local policies but is included to set out explicitly the recommendation that this development - adjacent to the settled Ham Green estate but not to the Pill Settlement boundary - should be approved.

HO5 On what basis do the parish councils consider that developers should be responsible for the maintenance of land adjacent to sites in their control? Have they considered the way in which the policy would be applied by North Somerset Council and/or the appropriateness of the approach?

Parish Councils' Comment A number of respondents have emphasised the need to further raise standards of design and sustainability. There is concern that whilst environmental features may be included at the design and build stages of development, there is often insufficient commitment to long term maintenance and sustainability of such features. Green spaces – verges, open spaces, community gardens, play areas – may well become eyesores after a number of years, with neither local councils (parish or district), community organisations, nor residents holding responsibility. Local neighbourhood amenity tends to decline as a consequence of lack of attention to sustainable management. Appropriate arrangements should be built in as conditions to the council approval of new development.

We suggest amending this to be a Community Action

Community Action: Parish Councils in conjunction with community environmental groups should encourage new development to incorporate proposals which ensure long-term attention to environmental maintenance, management and sustainability.

Policy HO6 This reads more as a community action than as a land use policy. In any event it is not a matter which a neighbourhood plan can address as it requires separate action by North Somerset Council. In this context I will recommend that the policy is deleted and replaced by a community action

Parish Councils' Comment We have noted the NSC comment on this policy and in view of that comment we accept that Policy HO6 be deleted. Instead of a Community Action we suggest the strengthening of the text of Section 5.9 para. 3.

Policy T3 This reads more as a process requirement rather than as a planning policy. Please can the parish councils provide clarity on its thinking?

Parish Councils' Comment This policy was aimed to provide a commitment to recognise and respond to electric vehicle use. NSC have commented that this policy is unclear in relation to applicability and implementation, and point out that NSC is developing guidance for the provision of electric vehicle charging. Sentences in the Transport and/or Climate Change section of the Plan would be more appropriate. Possible additions are:

Additional sentence Section 6.4 These figures for method of travel will certainly change first as a consequence of more home-working and secondly as a consequence of the growing use of electric vehicles (see also Section 10.5)

Additional sentence 10.5. Our recommendations to locate new growth adjacent to existing settlements support the need to address Active Travel and reinforce the need to address changes in travel behaviour into, from and within the neighbourhood area.

Policy T5 As Policy T3

Parish Councils' Comment. The reasons for giving continuing attention to the impact of the new rail service/station in Pill are covered in Section 6.12 of the Plan. Since then, the Metro West Inquiry into the rail link has addressed the issue of the local impact on Pill.

An appropriate **Community Action** might read.

Community Action CA/T8 A strategy to monitor and respond to the impact on local amenity of the opening of the Pill railway station (traffic, parking, local business, residential provision) should be developed by the Parish Council, Metro West and North Somerset Council.

Policy Env3 This reads more as a community action than as a land use policy. In this context I will recommend that the policy is deleted and replaced by a community action.

Parish Councils' Comment Agreed

Policy Her2 This reads more as a community action than as a land use policy. In any event it is not a matter which a neighbourhood plan can address as it requires separate action by North Somerset Council under separate legislation. In this context I will recommend that the policy is deleted and replaced by a community action

Parish Councils' Comment Agreed

Policy Emp5 As submitted this policy does not have any clarity on its effects. Please can the parish councils advise if it intended to apply within specific locations?

Parish Councils' Comment The Councils' wish is to maintain employment opportunities locally – especially in the Pill Precinct and the Old Brewery. We also want to protect the larger plots on the Eden Business Park. Policy Emp5 aimed to give expression to this and sought to prevent change of use from the recently modified Commercial, Business and Service Use Class 8. One respondent to consultation said. *I think that applications for change of use from commercial to residential is something that should definitely be looked at on a case-by-case basis, rather than being flatly rejected. If there are formerly commercial buildings sitting empty for long periods of time when there are families in need of housing it would not make sense to refuse change of use development to provide housing.*

We would wish to recognise this local resident view and suggest an amendment to the HO5 policy to read something like

Emp 5 Changes of use from use Class E in the Pill Precinct, at the Old Brewery and at Eden Business Park would not be supported other than as exceptional application for residential use.

Policy CC4 This reads more as a community action than as a land use policy. In this context I will recommend that the policy is deleted and replaced by a community action.

Parish Councils' Comment North Somerset Council also argued that this is more of a Community Action as no specific proposals are suggested. Whilst we have as yet no specific proposal, we believe it is important that the Plan recognises the potential for a policy. Whilst the wording of the policy might be improved, to relegate it to a Community Action would be unwelcome. Current government policy discounts the possibility of small-scale wind turbine installations unless they are specifically supported in an adopted Neighbourhood Plan. A suggested amendment is given below.

Policy Investigation of potential sites for the development and operation of new sources of local energy (solar arrays, heat pumps, wind turbines) should be pursued.

4 Comments on Representations

4a General Representations

Parish Councils' Comment. The Regulation 16 consultation comments are much the same as those from the previous local consultation. Many respondents had already submitted at Regulation 14 consultation. Unsurprisingly only a handful have changed their mind and several comments simply repeat their earlier view

Many respondents state that information about the specific proposals came too late for proper community engagement. We accept that it might have been better if consultation had come earlier but at the same time we doubt whether earlier community engagement would have generated different responses.

As before there is a balance of respondents from all four sub-neighbourhoods and again as before the predominant item of interest is the Chapel, Pill Lane development. The majority of those opposing this development identify themselves as living in Ham Green but there are also some comments from Pill and Easton questioning this as the best location for affordable housing.

There is widespread agreement that some affordable housing is needed. There is also general support for the Orchard View (care home plus housing) project, albeit with some responses suggesting that the whole site be allocated to housing. Whilst views on Chapel Pill Lane are divided in this Reg,16 consultation, we would restate the observation in our own submission that the outcome of local consultation was that there was a 2:1 majority of those expressing an opinion in favour of the Chapel Pill Lane development.

Nevertheless, as we said in our own submission, feelings are running high, and a decision on the planning application is unlikely to resolve the tensions. We feel that it is only a referendum that will give legitimacy and authority to the Plan as a whole.

It is clear that some respondents have confused the distinction between the Neighbourhood Plan and a planning application. A number of the comments made might be more relevant as submissions to consultation on the planning application. Consultation overload in recent months may have exacerbated this confusion.

4b Specific Representations

The representations from Baywood Developments, Brinkgreen Ltd., Persimmon Homes, Stokes Morgan Planning Ltd., L and Q Estates, and the Trustees of Captain WDH Wills.

Parish Councils' Comment. In general, these submissions argue that the Neighbourhood Plan pre-empts the possibilities for the future development of sites within the Plan area. They argue that whilst confining its specific proposals to the 2020-2026 period the Plan fails to address land supply in the period beyond 2026 up to 2038 and that the Basic Conditions of national policy have not been met. The arguments are that the Plan is premature.

Baywood suggest that the 2016 survey used to identify housing needs should be updated and that there is strong need/demand for housing in North Somerset. The NP fails to address the required Basic Conditions - especially those relating to national housing policies for *significantly boosting the supply of homes*. Similar arguments about the lack of up-to-date housing forecasts and about prematurity are made by **Persimmon**. **Brinkgreen**, and the **Wills Trustees**, and like, Baywood, they put forward sites (from 150 to 10 houses) for development in Abbots Leigh. **Stokes Morgan** look for more infill in Abbots Leigh. **L&Q**, in presenting (again) the case for a major 1000 dwelling development in Easton-in-Gordano suggest that it is dangerous to attribute 'disproportionate weighting to the NP', argue that the NP should not pre-empt the emerging Local Plan and suggest that the final NP should restate that the NP is not seeking to influence the outcome of the emerging North Somerset Local Plan.

These representations fail to accept that the submitted NP conforms to current policy and that for the moment that is the Local Plan 2017. We believe in the context of the existing Local Plan and for an area within the Green Belt, the provision of 60 dwellings by 2026 makes a significant contribution to meeting housing need. Delaying the NP further would allow some housing development to come forward sooner. We address the issue of prematurity in Section 3 above.

In relation to housing numbers and the housing survey, five years is the usual time span after which local housing surveys become outdated and NSC have confirmed the validity of their 2016 survey. Housing data for October 2020 show over 550 people on the Housing Register in North Somerset stating a preference to live in the Pill and Easton in Gordano area. Housing turnover in Pill/Easton is low, however, with only 57 vacancies in the previous four-year period, demonstrating both a very stable community and the lack of social housing vacancies.

The representation from 'Ham Green Residents and other supporters.

Parish Councils' Comment. The number and identity of Ham Green residents is not provided. We are unaware of any local organisation (comparable to the Abbots Leigh Civic Society, for example) to which these respondents belong. Nor is it clear who are the 'other supporters', other than that they are not Ham Green residents. They may be amongst the 150 Friends of the Lake', a network including supporters drawn from Bristol and the rest of England. It is for the Examiner to decide how to address the issue of the anonymity of those submitting this representation.

Given that many Ham Green residents have already made their opinions known in individual/family Reg.16 submissions, this extensive and detailed submission in practice duplicates many of the other responses. In addition, this representation, including Appendices 1 and 2, reproduces in large part - and in much of the same exact wording - issues raised by Respondent 31 in three submissions to the earlier Regulation 14 local consultation. We addressed a number of these issues in the Consultation Statement accompanying the November submitted Plan (p 22-23) and also in a further statement from the Parish Councils (Available on the Pill and Easton-in-Gordano Parish Council web-site on the Neighbourhood Plan page).

Nevertheless, we wish to respond briefly to the four main points in the 'Ham Green and other supporters' representation.

Plan Area: The Neighbourhood area was approved by NSC after public consultation. Good relations and collaborative working across the two parishes have ensured the emergence of a Plan within which many concerns are shared (traffic, environment, heritage, local economy, climate change). It is ironic that the accusation that the Plan is designed to protect the village of Abbots Leigh comes in a submission from the residents of Ham Green who are explicitly concerned to protect their area.

Plan Period: The arguments about prematurity are similar to those we address above in Section 3 and 4(b) (i). We suspect that Ham Green residents are pressing for delay in the hope that Local Plan 2038 will remove the threat of housing nearby. The view that the Plan does not meet Basic Conditions and NPPF policies will be addressed by the Examiner.

Plan Content: This section restates many of the objections already made by residents in both the local and NSC consultations. Suggesting that the agreed shared access between Metro West and the Land Trust should be refused have been rejected by Metro West. Discussion with landowners/developers are a normal part of plan preparation and are indeed required as part of local consultation, whilst finally the reference to the Northern Corridor includes factual errors and suggests that those submitting this comment have not read the final submitted Plan.

Plan Process: We most strongly refute assertions that the membership, structures and processes established by the Parish Councils for preparation of the Plan were at fault. We would stress that following a PC meeting where it was agreed that an independent Steering Group (SG) should be established (not a sub-Committee of the Council), a notice was placed in the local Pill Paper inviting invitations to join the SG. A membership reflecting interests and experience was appointed (see inside cover of the Plan) with Alliance Homes, a key stakeholder in relation to the Pill Precinct involved (see also Section 2 above). Both parish councils received regular reports on progress and issues requiring decision. When some residents sought information about the processes, this was provided. We recognise (see 4a above) that specific details of the proposed site were not publicised as early as residents would have wished.

The representations from Natural England

Parish Councils' Comment This will be dealt with in the detailed planning application for Chapel Pill Lane which is supported by two ecological analyses which deal, inter alia, with bats.