

**Norton St Philip Neighbourhood Plan
Decision Statement
(Proceeding to Referendum)**

Monday 2nd September 2019

1. Introduction

- 1.1. Pursuant to the adopted Scheme of Delegation Mendip District Council's Cabinet is authorised on behalf of the Local Planning Authority to make decisions on Neighbourhood Plan proposals following the examination of a Neighbourhood Plan proposal in accordance with the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended) and other relevant legislation.

2. Background

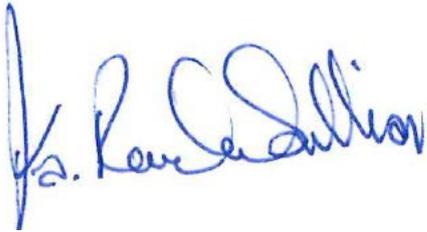
- 2.1. The Norton St Philip Neighbourhood Plan Area comprises the whole parish of Norton St Philip in the Mendip District Council administrative area. On 5th April 2018 Mendip District Council's Cabinet approved the designation of the Norton St Philip Neighbourhood Area in accordance with Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.2. Following the formal submission of the Norton St Philip Neighbourhood Plan ('the Plan') to the Local Planning Authority, it was published for consultation in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) between 1st March and 12th April 2019.
- 2.3. The Council appointed an independent, experienced and suitably qualified Examiner, Ann Skippers, in June 2019 to examine the submitted Norton St Philip Neighbourhood Plan. All of the comments received at the Regulation 16 publication stage were passed on to the Examiner and considered as part of the examination.
- 2.4. The Examiner's Report was received on 19th July 2019 and concluded that, subject to the modifications proposed in the Report, the Plan should proceed to referendum. The Examiner also recommended that the area for the referendum should not extend beyond the Neighbourhood Area to which the Plan relates.

- 2.6 In accordance with legislation, the Local Planning Authority must consider each of the recommendations made in the Examiner's Report, decide what action to take in response to each recommendation and what modifications should be made to the draft Plan (if any) in order to be satisfied that it meets the basic conditions and other matters set out in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and is compatible with Convention Rights and the Conservation of Habitats and Species Regulations 2017. If the Local Planning Authority are satisfied as to the above tests, then a referendum must be held. Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3. Decision And Reasons

- 3.1 The Examiner's recommendations and reasons for them were considered by Cabinet at its meeting on 2nd September 2019. It was resolved that the Examiner's conclusions should be accepted and that the recommended modifications should be made to the draft Norton St Philip Neighbourhood Plan to ensure that it meets legal requirements, including the Basic Conditions, as set out in legislation. Two further modifications were agreed by Cabinet to ensure the accuracy of the Plan. Appendix 1 to this Notice sets out the modifications to be made together with the reasons for them.
- 3.2 Mendip District Council is satisfied that the Neighbourhood Plan (as modified) complies with the legal requirements and can proceed to referendum.
- 3.3. Mendip District Council also agrees with the examiner that there is no reason to extend the Norton St. Philip Neighbourhood Plan Area for the purpose of holding the referendum.
- 3.4 In accordance with the requirements of the Schedule 4B to the Town and Country Planning Act 1990 (amended) and the Neighbourhood Planning (Referendum) Regulations 2012 (as amended) and the Neighbourhood Planning (Prescribed Dates) Regulations 2012, the modified Norton St. Philip Neighbourhood Plan shall proceed to a referendum of all registered electors within the Norton St. Philip Neighbourhood Area to establish whether the Plan should form part of the Development Plan for the Mendip District.
- 3.5 This Decision Statement can be viewed on the Council's website at <https://www.mendip.gov.uk/nortonstphilip> or in person at;
- Mendip District Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT (Opening hours: 8.30 am - 5.00 pm (Mon - Fri))

- Church Porch, St Philip and St James Church, Vicarage Lane, Norton
St Philip, Bath, BA2 7LY

A handwritten signature in blue ink, appearing to read "Julie Reader-Sullivan". The signature is written in a cursive style with a large initial 'J'.

Julie Reader-Sullivan
Group Manager, Planning and Growth

Appendix 2: Schedule of Proposed Modifications

| Modification Number | Policy number | Recommendation and changes | Report Page | Plan page | Reason for change |
|---------------------|---------------|--|-------------|-----------|--|
| 1. | throughout | Include a list of acronyms used throughout the plan | 13 | NA | To improve clarity |
| 2 | Para 1.8 | Update the section as required and particularly para 1.8 on page 5 | 14 | 5 | To reflect natural updating as the plan progresses |
| 3 | Policy 1 | Change the title of Figure 4 “Development limit” to “defined settlement boundary” | 16 | 15 | For consistency throughout the plan |
| 4 | Policy 1 | Change the title that reads “Fig 4; development boundary as proposed in policy 1” to “Fig 4; settlement boundary as defined by Policy 1” | 16 | 15 | For consistency throughout the plan |
| 5 | Policy 1 | Change the word “the” to “this” in the second sentence of the policy so that it reads “Outside this defined settlement boundary...” | 16 | 15 | For clarity and accuracy |
| 6 | Policy 3 | Change this section title to read “Entry Level Exception Sites” | 18 | 19 | .For clarity and accuracy |
| 7 | Policy 3 | Change the phrase “...where a site would be permitted under normal policies...” to “where a site would normally be permitted...” in criterion b) | 18 | 20 | For clarity and accuracy |
| 8. | Policy 3 | Change the words “...this plan...” in criterion c) to “...the development plan...” | 18 | 20 | For clarity and accuracy |
| 9 | Policy 4 | Change the reference to “section 10” in paragraph 11.1 on page 22 to “section 14” | 19 | 22 | For clarity and accuracy |
| 10 | Policy 4 | Change both references to “CA” in the policy to “Character Assessment” | 19 | 23 | For clarity and accuracy |
| 11 | Policy 4 | Add the words “...on figures 10 and 13...” before “...in the Norton St Philip Character Assessment...” in bullet point three of the policy | 19 | 23 | For clarity and accuracy |

| Modification Number | Policy number | Recommendation and changes | Report Page | Plan page | Reason for change |
|---------------------|----------------------------|---|-------------|---------------------------|--|
| 12 | Policy 4 | Change the spelling of “stories” in bullet point 4 of the policy to “storeys” | 19 | 23 | For clarity and accuracy |
| 13 | Policy 4 | Change the ninth bullet point to read “Development should include satisfactory off street parking to Somerset County Council standards or, if superseded, any subsequent standards whilst not reducing existing on street car parking capacity” | 19 | 24 | For clarity and accuracy |
| 14 | Policy 4 | Insert full stop at the end of the policy | 19 | 24 | For clarity and accuracy |
| 15 | Policy 5 | Change the reference to “Figure 2” in the policy to “Figure 5” | 22 | 27 | For accuracy |
| 16 | Policy 6 | Change the word “Any” at the start of the policy to “All” | 23 | 31 | For clarity |
| 17 | Policy 6 | Add the words “wherever possible or suitable replacement facilities are to be provided” after “...are to be retained...” in the second paragraph of the policy. | 23 | 31 | To insure the policy provides a practical framework or decision making |
| 18 | Appendix 4 | Insert a reference to Appendix 4 in paragraph 6.3 of the Plan | 23 | 11 | For clarity |
| 19 | Policy 5 and Appendix 3 | Exclude an extension at The Barton from LGSNSP004 | Further mod | P27/28 amd Appendix 3 p42 | For accuracy |
| 20 | Fig 8 Character Assessment | Amend fig 8 of the Character Assessment to remove the notation showing 3 trees north of Shepherds Mead. | Further mod | Character Assessment p19 | For accuracy |

