

**NORTH SOMERSET COUNCIL**  
**Examination of Development Management Policies**

**Inspector:** David Smith BA(Hons) DMS MRTPI

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**HEARING SESSION ON WEDNESDAY 4 NOVEMBER 2015**

**INSPECTOR'S NOTE**

**This is not a verbatim record but sets out the matters covered by the Inspector.**

The purpose of this session is to review the schedule of proposed changes and the other possible changes that occurred during the course of the hearing and to consider how these are to be dealt with. Furthermore, it is also to give some indication of the next steps in the process, the likely timescales and to deal with any procedural questions that the Council or others may have. None of this should be taken as pre-judging the contents of the final Report which will take into account all relevant matters and representations.

The Council has prepared a schedule of proposed changes (ED/24a). There is a distinction between Main and Additional Modifications as referred to in the Planning and Compulsory Purchase Act. Additional Modifications are those that (taken together) do not materially affect the policies of the Plan. Main Modifications can therefore be taken to be those that do materially affect the policies. They will therefore comprise any changes to the policies themselves or to the supporting text which have a significant bearing on the interpretation of that policy. This excludes minor factual updates. My concern is solely with Main Modifications.

The aim is to produce a consolidated list of Main Modifications for the purposes of consultation and possibly sustainability appraisal. As part of this process it will also be necessary to determine which are Main and Additional Modifications and this exercise should be carried out by the Council in conjunction with me prior to the consultation process.

Following the discussion that took place at the hearing it was confirmed that the Council is giving consideration to changes to Policies DM2, DM10, DM11, DM12, DM19, DM34, DM48, DM56 and DM58.

In addition, there are also some matters that require an input from me to indicate whether there is potential unsoundness and any revisions that would ensure soundness. These processes can continue in parallel.

For my part I intend to provide an interim view relating to soundness in certain respects as a 'first step'. This is intended to be helpful and to give the Council an opportunity to consider what further modifications, if any, should be made. However, it is ultimately a matter for the Council as to whether or how it wishes to modify the Plan and to review the alternatives that might be open to it. I intend to deal with this as a first stage of the post-hearing process and these initial findings should be completed by **Friday 20 November**.

My letter to the Council will be publicly available and published on the website in the normal way. The ball will then be in the Council's court to finalise the schedule of proposed Main Modifications. Before it is published the Council should allow me to see it in order to ensure that it reflects my understanding of the discussion at the hearings and to avoid any obvious soundness issues. Others may have a different opinion about these proposed changes but that is a matter for me to resolve in due course through my report.

Additional modifications need not be the subject of consultation. However, if the Council wish to include them for completeness then the distinction with Main Modifications should be clearly spelt out and they should be contained in a separate schedule. I request that the final proposed schedule of Main Modifications contains the prefix MM and omits the justification for the change in the final column. The existing schedule should be reviewed to remove any inconsistencies and, where possible, proposed changes could be combined to reduce the overall number of proposed Main Modifications.

The period of consultation should be for a minimum of 6 weeks. In carrying out the further consultation can I ask that the Council make it clear that comments should solely be addressed to the proposed changes and the implications arising from them. The Council should also bear in mind the possible need for further Sustainability Appraisal and any necessary assessment under the Habitat Regulations but, at this juncture, I do not expect there is likely to be a need for further hearing sessions. The Council should keep me informed of progress in this respect and particularly the date of the close of the consultation period.

In order for the Council to adopt the Plan I can only recommend Main Modifications if asked to do so by the local planning authority under section 20 (7C). If the Council wishes to make this request it should therefore be done before my report is finalised and I will indicate when I consider this to be appropriate.

I will then need to consider the consultation responses before finalising my report. At the moment it is difficult to give definite guidance about when this will be produced but I expect it would be about 6 weeks after the close of the consultation period. A firmer date will be given nearer the time.

Before I close the hearing sessions can I personally thank Robert Young for the efficient work he has done as Programme Officer. I would like to thank the Council officers for their timely responses to my various requests and for their oral contributions during the hearings and also thank all representors who participated for their input.