

Norton St Phillip Neighbourhood Plan 2019-2029 Re-examination

Consultation on Changes in Basic Conditions

1. This notice should be read with the examiners letter dated attached below. It gives an opportunity to comment on changes in legislation which affect examination of Neighbourhood Plans. Somerset Council is notifying parties which made representations to the Norton St Phillip Neighbourhood Plan. Previous comments do not need to be re-submitted.
2. The Norton St Phillip Neighbourhood Plan was submitted to Somerset Council in November 2024. An examination into this Plan was undertaken by Mr John Slater who reported in May 2025. Somerset Council agreed the Plan to go forward to a referendum in June 2025. A Judicial Review was lodged in 2025 which resulted in Somerset Council agreeing to quash the decision to proceed to referendum and the referendum result. A High Court Order was agreed on 5th January 2026 which allowed for the plan be subject to a re-examination.
3. Somerset Council appointed a new Neighbourhood Plan examiner – Deborah McCann on 26th February 2026. The examiner is considering the Neighbourhood Plan as originally submitted.
4. In response to recent changes in Neighbourhood Plan legislation, the examiner has requested the Council invite parties who made representations at submission to comment on this matter. Further information is set out in the examiners letter

The examiner has allowed two weeks for responses to her request. The closing date for **responses in relation to the changes in basic conditions** is Friday 29th May.

Responses to the Inspectors request should be made in writing to Somerset Council who will provide them to the examiner

By post to: Somerset Council Planning Policy, Cannards Grave Road, Shepton Mallet, Somerset, BA4 5BT

By email to: planningpolicyeast@somerset.gov.uk

By hand to: The Somerset Council offices in Shepton Mallet (address above).

Please contact the council on the email below if there is a need for additional time to respond planningpolicyeast@somerset.gov.uk / Any comments will be provided to the examiner and published online.

There is no need to re-submit or comment on representations submitted. These have already been provided to the examiner. All relevant documents can be found on the Council website on this page. [Neighbourhood plans – in production and made](#)

Independent Examination of the Norton St Philip Neighbourhood Plan. Examiners Letter

On 25 March 2026 sections 98 and 99 of the Levelling-up and Regeneration Act 2023 came into force, by virtue of The Levelling-up and Regeneration Act 2023. (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026, which were made on 2 March 2025.

In relation to neighbourhood plans, sections 98 and 99 amend the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 in respect of the legal compliance and the Basic Conditions requirements.

In summary, the further legal compliance requirements are as follows:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to,

climate change; and - so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

In addition, there is a new Basic Condition requirement:

- the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.

Note: this replaces the former Basic Condition that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area.

A further Basic Condition related to the new environmental assessment framework is commenced albeit, until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this Basic Condition cannot be assessed.

As the examination of the Norton St Philip Neighbourhood Plan is currently in progress, I am providing you with an opportunity to comment on the impact of these changes on the Norton St Philip Neighbourhood Plan. I also consider that any persons who may have an interest in the examination should be given the similar opportunity to comment, including those who submitted representations at Regulation 16.

Therefore, I request that Somerset Council place a notice on their website cross referencing this letter, advising that the anyone with an interest in the examination may, should they wish, comment on any implications of the legal compliance and Basic Conditions changes outlined above for the Norton St Philip Neighbourhood Plan.

It should be made clear that there is no need for responses to repeat representations that have already been made in relation to any other matters (since the Regulation 16 representations stand as submitted). Similarly, it is not an opportunity to raise new matters that do not relate to these legal points.

I suggest that that 2 weeks will be provided to submit comments to Somerset Council. Somerset Council should contact those who made representations at Regulation 16 to make them aware of this additional consultation. Should any person(s) request additional time in order to respond, you should seek to accommodate this providing a revised and reasonable response time is proposed.

Any responses received at the end of the 2 week (or, where requested, extended) period, along with those of the Norton St Philip NPG and Somerset Council, should be forwarded for my attention.

Should you have any questions in relation to this letter or any other related examination matters, please contact me.

In the interests of transparency, please ensure that a copy of this letter is placed on the Parish Council and Somerset Council websites.

Yours sincerely

Deborah McCann

Examiner

1 May 2026