

25 May 2022

Report of	Assistant Director of Place and Client Services	Author	Rachel Forkin
Title	Adoption of the West Mersea Neighbourhood Plan		
Wards affected	West Mersea		

1. Executive Summary

- 1.1 The West Mersea Neighbourhood Plan has successfully completed the process of examination and approval at referendum and has come before the Council to be made (adopted) as part of the Colchester Local Plan.
- 1.2 Due to the legal requirement for the Full Council to ratify the results of the referendum within 8 weeks, this decision was approved in accordance with the urgency provisions contained in the Council Procedure Rules.

2. Recommended Decision

- 2.1 That the Council makes (adopts) the West Mersea Neighbourhood Plan following its approval at referendum.

3. Reason for Recommended Decision

- 3.1 To ensure the Council's planning policies provide a robust basis for decisions on future planning applications in the Borough.
- 3.2 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan, then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum.

4. Alternative Options

- 4.1 There is no alternative option. Not adopting the Neighbourhood Plan would be contrary to the positive approach to Neighbourhood Plans found in National Planning Policy Framework and Planning Guidance. If the majority of those who vote in a referendum are in favour of the draft Neighbourhood Plan, then the neighbourhood plan must be made by the Local Planning Authority.

5. Background Information

- 5.1 In November 2016, Colchester Borough Council designated the West Mersea Neighbourhood Plan Area for the purpose of preparing a Neighbourhood Plan (in accordance with The Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of West Mersea Ward.
- 5.2 During the course of the preparation of the Neighbourhood Plan, the West Mersea Neighbourhood Plan Working Group carried out a significant number of meetings, consultation events and publicity. This included the following:
- Regular public meetings
 - Public consultation events
 - Residential, business and housing needs survey
 - Establishment and maintenance of a website (<https://www.merseamatters.uk/>)
 - Regular postings on social media
 - Articles about the Neighbourhood Plan in various local publications
 - Summary leaflets prepared and inserted into local publications
- 5.3 The Neighbourhood Plan does not allocate sites for housing but refers to those allocated in the emerging Local Plan. The Plan contains 19 Objectives, and 28 Policies that cover a wide range of issues including housing; open space, sport and recreation; traffic and transport; business; infrastructure; natural environment and landscape; tourism; heritage; and development design. In addition, a number of Community Aspirations are proposed.
- 5.4 Colchester Borough Council appointed an independent examiner, Mr David Kaiserman, to examine the Neighbourhood Plan in October 2021. The Examiner's Report was issued in December 2021 and concluded that subject to modifications recommended by the examiner being made to the document, the Neighbourhood Plan satisfied all the Basic Conditions set out in legislation and should proceed to Referendum.
- 5.5 The Referendum on the West Mersea Neighbourhood Plan was held on 17th March 2022 with the following results: 1,127 votes recorded in favour of the plan and 148 against, or 88% in favour.
- 5.6 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. Due there being no Full Council meetings within the 8 week period, this decision was approved in accordance with the urgency provisions contained in Council Procedure Rule 18.
- 5.7 The Portfolio Holder for Housing and Planning has also been consulted and is content that Full Council adopts the West Mersea Neighbourhood Plan.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link: [Equality Impact Assessments · Colchester Borough Council](#).
- 6.2 There are no particular Human Rights implications.

7. Strategic Plan References

- 7.1 Effective strategic planning support the Strategic Plan 2020-23, which includes a commitment to create great places to live through the provision of new homes with infrastructure and facilities that support sustainable living and promote health and wellbeing. The West Mersea Neighbourhood Plan will contribute towards achieving these objectives.

8. Consultation

- 8.1 The preparation of the West Mersea Neighbourhood Plan was underpinned by extensive public consultation. The consultation process was documented in a Consultation Statement submitted along with the Neighbourhood Plan document as part of the examination process.

9. Publicity Considerations

- 9.1 Both West Mersea Town Council and Colchester Borough Council have publicised the Neighbourhood Plan on their respective websites.
- 9.2 On adoption, the document will be made available on the Colchester Borough Council and West Mersea Town Council websites, and stakeholders will be notified, in accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.
- 9.3 Neighbourhood planning is generally seen as a positive activity and any publicity arising should be seen in this light.

10. Financial implications

- 10.1 Colchester Borough Council is financially responsible for organising the examination and referendum for Neighbourhood Plans in their areas. The Council can however reclaim £20,000 from the Department for Levelling Up, Housing and Communities for all Neighbourhood Plans once a date is set for a referendum following a successful examination. These payments have been made by Central Government to Local Authorities to reflect the additional financial burdens associated with supporting Parish Councils or Neighbourhood Plan Forums prepare Neighbourhood Plans. The grant will cover the cost of the examination and referendum.

11. Health, Wellbeing and Community Safety Implications

- 11.1 None identified.

12. Health and Safety Implications

- 12.1 None identified.

13. Risk Management Implications

- 13.1 The adoption of the West Mersea Neighbourhood Plan will help ensure that the Council's planning policies are robust and up-to-date and help to reduce the risk of inappropriate development being permitted.

14. Environmental and Sustainability Implications

- 14.1 In order to support the achievement of sustainable development, the Neighbourhood Plan aims to ensure that new development will be both sustainable and improve life for the community without prejudicing lives for future generations. The plan contains objectives that include ensuring that any proposed development provides footway and cycleway links, encouraging residents to walk and cycle; preserving and enhancing existing wildlife corridors; protection and enhancement of designated habitats in their own rights and from the impact of new development; and ensures that where tourism is encouraged it respects the rural countryside, coastal character and natural habitat.
- 14.2 A screening opinion, carried out under the Environmental Regulations 2004, was undertaken in July 2020 and concluded that the Neighbourhood Plan is not likely to have significant environmental effects and consequently confirmed that a Strategic Environmental Assessment (SEA) is not required.