

**16 October 2019**

<b>Report of</b>	<b>Assistant Director of Policy and Corporate</b>	<b>Author</b>	<b>Shelley Blackaby</b>
<b>Title</b>	<b>Adoption of the West Bergholt Neighbourhood Plan</b>		<b>☎ 508635</b>
<b>Wards affected</b>	<b>West Bergholt</b>		

## **1. Executive Summary**

- 1.1 The West Bergholt Neighbourhood Plan has successfully completed the process of examination and approval at referendum and has now come before the Council to be made (adopted) as part of the Colchester Local Plan.

## **2. Recommended Decision**

- 2.1 The Council is asked to make (adopt) the West Bergholt 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 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 The alternative would be not to adopt the Neighbourhood Plan. This alternative, however, would be contrary to the positive approach to Neighbourhood Plans found in the National Planning Policy Framework (Paras 29-30) and Planning Practice Guidance.

## **5. Background Information**

- 5.1 In July 2013, Colchester Borough Council designated the West Bergholt Neighbourhood Plan Area for the purpose of preparing a Neighbourhood Plan (in accordance with Part Two of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of the parish of West Bergholt.
- 5.2 The West Bergholt Neighbourhood Plan Steering Group carried out extensive consultation to support the development of the Neighbourhood Plan. The Steering Group spoke to as many individuals, local groups and businesses as possible throughout the process. There was ongoing engagement with the community, to share and disseminate information and to seek input. The following key and statutory consultation activities were carried out at strategic points in the process:
- Neighbourhood Plan launch event;
  - Residents, Business and Youth Surveys;
  - Issues and Options consultation;
  - Draft Plan consultation;
  - Regulation 14 consultation (a statutory consultation stage required by the Neighbourhood Planning Regulations).
- 5.3 The Plan allocates two adjacent sites for residential development providing for a total of 120 dwellings. It contains 24 planning policies that cover a wide range of issues under the following themes: village society and community; environment; housing; business, commerce and employment; sport and recreation; community safety; communication; and transport, highways and infrastructure.
- 5.4 Colchester Borough Council appointed an independent examiner, Mr Jeremy Edge BSc (Hons) MRTPI FRICS, to examine the West Bergholt Neighbourhood Plan and to prepare a report of the examination. The Examiner's report, which was issued on 26 May 2019, concluded that subject to modifications recommended by the examiner being made, the West Bergholt Neighbourhood Plan met the Basic Conditions set out in legislation and should proceed to a referendum. The examiner recommended that the Referendum Area should extend to those persons entitled to vote who are resident in the Designated Plan Area.
- 5.6 The Referendum on the West Bergholt Neighbourhood Plan was held on 19 September 2019 with the following results: 862 in favour of the plan and 59 against, or 94% in favour. The turnout was 41%.
- 5.7 A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. 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.

## **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:-  
<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>
- 6.2 There are no particular Human Rights implications.

## **7. Standard References**

- 7.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

## **8. Strategic Plan References**

- 8.1 The West Bergholt Neighbourhood Plan contributes to the Council's Strategic Plan (2018-21) themes of Growth (ensuring all residents benefit from the growth of the borough), Responsibility (encouraging everyone to do their bit to making our borough even better) and Opportunity (promoting and improving Colchester and its environment). Neighbourhood planning contributes positively to the priority of promoting responsible citizenship by encouraging residents to get involved in their communities and to identify solutions to local issues.

## **9. Consultation**

- 9.1 The preparation of the West Bergholt 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.

## **10. Publicity Considerations**

- 10.1 Both West Bergholt Parish Council and Colchester Borough Council have publicised the Neighbourhood Plan on their respective websites.
- 9.2 On adoption, the neighbourhood plan will be made available on the Colchester Borough Council and West Bergholt Parish Council websites, and stakeholders will be notified, in accordance with Section 20 of the Neighbourhood Planning Regulations Town and Country Planning (Local Planning) (England) Regulations 2012.

## **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 however, can reclaim £20,000 from the Ministry of Housing, Communities and Local Government 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 Bergholt 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.

## **Appendix**

West Bergholt Neighbourhood Plan