

North Somerset Council

REPORT TO THE COUNCIL

DATE OF MEETING: 23 JULY 2019

SUBJECT OF REPORT: YATTON NEIGHBOURHOOD PLAN

TOWN OR PARISH: YATTON

OFFICER/MEMBER PRESENTING: CLLR JAMES TONKIN

KEY DECISION: NO

RECOMMENDATIONS

Council resolve to “make” the Yatton Neighbourhood Plan

1. SUMMARY OF REPORT

Following the Yatton Neighbourhood Plan Examination, the Executive resolved on 5 February 2019 that the Plan met the necessary criteria to go forward to referendum. A referendum was subsequently held within the Yatton Neighbourhood Area on Thursday 11 April 2019. 92% of the votes cast were in favour of the plan which is in excess of the required 51% and therefore under the Town and Country Planning Act 2004 s38A (4) (6) North Somerset Council must formally “make” the plan.

2. POLICY

A Neighbourhood Plan is prepared by the local community (with help and advice from North Somerset Council and other bodies as necessary). Securing a majority “yes” vote at referendum means that the plan must also be formally approved by the Council. Once it’s passed the referendum the Plan has full weight in the consideration of planning applications and becomes part of the development plan. The policies therefore have the same status as those in the North Somerset Core Strategy, Development Management Plan and Site Allocations Plan. Policies in the Yatton Neighbourhood Plan will be used alongside existing adopted policies in these plans having regard to national planning policy in the National Planning Policy Framework and National Planning Practice Guidance. The time period of the Plan is to 2026 to align with the Council’s Core Strategy.

3. DETAILS

- 3.1 The Executive considered the Yatton Neighbourhood Plan and proposed Examiner’s modifications on 5 February 2019 and concluded that the Plan with those modifications would meet the necessary basic conditions, was compatible with the Convention Rights and complies with the definition of a neighbourhood development plan and could therefore proceed to referendum.
- 3.2 A referendum was held within the Yatton neighbourhood plan area on Thursday 11 April 2019. There was a turnout of 23% and 92% of the votes cast were in favour of

the plan which is in excess of the required 51% and therefore under the Town and Country Planning Act 2004 s38A (4) (6) North Somerset Council must formally “make” the plan. This compares with a 32.58% turnout and 96.95% vote in favour for the Claverham neighbourhood plan in January 2018, 33.62% turnout and 94.8% vote in favour for the Long Ashton neighbourhood plan in September 2015, and a 40% turnout and 96% of the voters cast in favour of the plan for the Backwell Neighbourhood plan referendum in February 2015. The turnout was therefore a little lower than for other neighbourhood planning referendums however the % votes in favour of the Plan was broadly similar.

3.3 The Plan contains policies for:-

- Traffic assessments needed for development proposals likely to have significant transport impacts on footways, bicycle routes and car and bicycle parking capacity.
- Support for proposals which contribute to the definition of central part of the High Street to enhance local distinctiveness
- Support for proposals which contribute to improved access from residential areas to local public footpaths
- Designation of the Gang Wall as Local Green Space
- Support for incorporation of local amenity areas with indigenous trees into planning proposals
- Guidelines for external lighting in development proposals to conform to Institute of Lighting Engineers standards
- Allocate the brownfield land at 191-201 Mendip Road (Titan Ladders) for residential development
- Encourage walking and cycling and increase pedestrian and cyclist safety in planning proposals.

3.4 The Yatton Neighbourhood Plan is the fourth neighbourhood plan to be made in North Somerset. The Plan became part of the Development Plan for North Somerset following the referendum, but the final stage of the process is for the Council to formally “make” the plan.

3.5 The plan will be used as the basis for making decisions on planning applications within the neighbourhood area of Yatton, which comprises the part of Yatton parish which covers Yatton village and surrounding land. A neighbourhood plan for the Claverham part of Yatton parish has already been made. The Yatton Plan will be a material consideration in planning proposals, however policies will need to be supplemented by existing adopted policies in the North Somerset Core Strategy, Development Management Plan and Site Allocations Plan. This is because the Yatton Neighbourhood Plan is not comprehensive and does not cover all planning issues. So where the plan is silent on a particular matter, or for example where more detailed guidance is needed, then other adopted policies will be used, along with the national guidance issued in the National Planning Policy Framework and National Planning Policy Guidance.

4. **CONSULTATION**

Consultation has been carried out in the preparation of the plan in accordance with the regulatory requirements.

5. FINANCIAL IMPLICATIONS

There are no ongoing financial implications. The Yatton Plan does not commit council resources in order to implement the plan's provisions.

Upon the "making" of the Yatton Neighbourhood Plan, Yatton Parish Council will be eligible for 25% of any CIL receipts from developments within the Neighbourhood Plan area, instead of 15% as attributable elsewhere.

Costs

Other than officer time the main costs are related to the carrying out of the examiner's fees for carrying out the examination and the costs of the referendum.

Funding

A sum of £20k will be claimed by North Somerset Council retrospectively from government under the Neighbourhood Planning Grant arrangements. Claims are made retrospectively every quarter. A fixed sum of £20k is given to cover the cost to North Somerset Council of holding the examination and referendum.

6. LEGAL POWERS AND IMPLICATIONS

There is a duty on the Council to assist the Neighbourhood Plan making process and the procedure is set out in Schedule 4B of the 1990 Town and Country Planning Act (as amended) and Neighbourhood Planning (General) Regulations 2012, and Town and Country Planning (general) and Development Management Procedure (Amendment) Regulations 2016.

7. RISK MANAGEMENT

It is not considered that there are any risk management implications associated with "making" the Plan. The neighbourhood plan making process (like the local plan making process) is subject to judicial review, however, with the trigger for this being the "making" of the plan.

8. EQUALITY IMPLICATIONS

An equalities impact assessment has not been carried out.

It is a requirement under the Neighbourhood Plan regulations that the Plan must be compatible with human rights requirements and with EU obligations. The independent Examiner has made this assessment and concluded that it meets the requirements in this respect. It is not considered that there are any equality impact considerations arising from the Neighbourhood Plan.

9. CORPORATE IMPLICATIONS

There are no direct corporate implications.

10. OPTIONS CONSIDERED

As the Plan has passed the referendum then under the provisions of the Town and Country Planning Act 2004 s38A (4) (6) North Somerset Council must formally "make" the plan.

AUTHOR

Celia Dring, Principal Planning Policy Officer 01934 46244

BACKGROUND PAPERS

[Yatton Neighbourhood Plan](#)