

North Somerset Council

Report to the Council

Date of Meeting: 9 November 2021

Subject of Report: Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan

Town or Parish: Abbots Leigh/Pill and Easton-in Gordano

Officer/Member Presenting: Cllr Mark Canniford Executive member for Placemaking and Economy

Key Decision: No

Reason:

Not an Executive decision

Recommendations

Council resolve to “make” the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan

1. Summary of Report

Following the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan examination, Executive resolved on 23 June 2021 that the Plan met the necessary criteria to go forward to a referendum. A referendum was subsequently held within the Neighbourhood Plan area (the combined parishes of Abbots Leigh and Pill and Easton-in-Gordano) on Thursday 23 September 2021. 81.34% 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 s38 (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 has passed the referendum the Plan becomes part of North Somerset Councils development plan. The policies have the same status as those in the North Somerset Core Strategy, Development Management Plan and Site Allocations Plan. Policies in the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan will be used alongside existing adopted policies in these plans in making planning decisions and 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

The Executive considered the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan and proposed Examiner's modifications on 23 June 2021 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.

3.1 A referendum was subsequently held within the neighbourhood plan area (the combined parishes of Abbots Leigh and Pill and Easton-in-Gordano) on Thursday 23 September 2021. 81.34% 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 s38 (4) (6) North Somerset Council must formally "make" the plan.

3.2 The Plan contains policies amongst others for:-

- Support for a new care home and housing on part of the brownfield Ham Green hospital site subject to green belt and other considerations
- infill development
- protecting and where possible improving rights of way
- support for proposals which encourage walking and cycling and access to local facilities
- protection of an area of highly sensitive landscape and habitat, including salt marsh and intertidal shore of Royal Portbury Dock
- to take account of the significance of any heritage assets in the immediate vicinity of development proposals
- support for proposals for new businesses and protection of existing businesses.
- Incorporation of renewable energy, increased biodiversity, rainwater harvesting, local food production in development proposals
- Support for improvements to the Pill Precinct
- Protection of important open spaces

3.3 The Plan will be used as a basis for making planning decisions within the area covered by the Plan. Policies in the plan will be supplemented by existing adopted policies in the North Somerset Core Strategy, Development Management Plan and Site Allocations Plan. This is because the Neighbourhood Plan is not comprehensive and does not cover all planning issues but provides a local context for proposals within the Abbots Leigh/ Pill and Easton-in-Gordano parishes. Where the neighbourhood plan is silent on a particular issue or for example where more detailed guidance is needed then other adopted policies will be used, along with national guidance issued in the National Planning Policy framework and National Planning Practice Guidance.

4. Consultation

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

5. Financial Implications

5.1 There are no ongoing financial implications. The Abbots Leigh, Ham Green Pill and Easton-in-Gordano Neighbourhood Plan does not commit council resources in order to implement the Plan's provisions.

- 5.2 Upon the “making” of the Abbots Leigh, Ham Green Pill and Easton-in-Gordano Neighbourhood Plan the two parish councils will be eligible for 25% of any CIL receipts from developments within the Neighbourhood Plan area, instead of 15% as attributable elsewhere.

Costs

- 5.3 Other than officer time, the main costs are related to the examiners fees for carrying out the examination and for the costs of organising the referendum.

Funding

- 5.4 A sum of £20k has been claimed by North Somerset Council under the Neighbourhood Planning Grant arrangements. Government provides this lump sum to Local Planning Authorities (LPAs) to meet their legislative duties in relation to neighbourhood planning. Specifically, it covers the neighbourhood planning duties introduced by the Localism Act 2011 which are to provide advice or assistance; to hold an examination; and to make arrangements for a referendum. As such £20k can be claimed in retrospect once a Local Planning Authority have made the decision to hold a referendum on the Neighbourhood Plan. This is done through the governments DELTA claims system. This was done following the 23 June Executive decision to hold a referendum on the Plan.

6. Legal Powers and Implications

There is a duty on the Council to assist the Neighbourhood Plan making process and to formally act in approving the document at various stages. This is set out in Schedule B of the 1990 Town and Country Planning Act (as amended) and Neighbourhood Planning (General) Regulations 2012 and the Town and Country Planning Development Management Procedure (Amendment) Regulations 2016. This includes formally “making” the Plan following a majority yes vote at referendum. It is not considered that there is any reason why the Plan should not be “made”.

7. Climate Change and Environmental Implications

The Neighbourhood Plan contains policies which recognise the importance of addressing climate change by supporting and protecting the environment. It supports the incorporation of renewable energy, increased biodiversity, rainwater harvesting, local food production in development proposals.

8. Risk Management

It is not considered that there are any risk management implications associated with “making” the Plan.

9. Equality Implications

An equalities impact assessment has not been carried out.

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

10. Corporate Implications

There are no direct corporate implications

11. Options Considered

As the Plan has passed the referendum then under the provisions of the Town and Country Planning Act 2004 s28A (4) (6) it falls to North Somerset Council to formally “make” the Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan.

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Appendices:

None

Background Papers:

[Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan](#)

[Declaration of result of poll](#)