



Hengrove and Whitchurch Park Neighbourhood Development Plan Regulation 19 Decision Statement (19 March 2019)

This Decision Statement is published pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

At the Full Council meeting of 19 March 2019, following a positive referendum result, Bristol City Council resolved to 'make' the Hengrove and Whitchurch Park Neighbourhood Development Plan.

The Hengrove and Whitchurch Park Neighbourhood Development Plan forms part of the statutory Development Plan for Bristol. Planning applications within the neighbourhood planning area must be considered against the Hengrove and Whitchurch Park Neighbourhood Development Plan as well as existing planning policy such as the Bristol Local Plan and National Planning Policy Framework.

Background

The Hengrove and Whitchurch Park area became a designated neighbourhood planning area on 7 November 2016. The Hengrove and Whitchurch Park Neighbourhood Planning Forum applied to be designated as a neighbourhood planning forum for the purpose of developing a neighbourhood development plan for the area. They were designated as Hengrove and Whitchurch Park Neighbourhood Planning Forum on 7 November 2016.

The Forum consulted on a draft neighbourhood development plan from 16 December 2017 to 19 February 2018. An amended neighbourhood development plan was submitted to Bristol City Council for independent examination on 18 April 2018. The Plan was published for consultation by Bristol City Council between 11 May and 22 June 2018 and representations were invited on the plan.

Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD was appointed as independent examiner of the Plan and carried out her examination by written representations between July and September 2018. The examiner concluded that, subject to modifications, the plan could be submitted to a referendum. The examiner's report was published on 25 October 2018.

Bristol City Council considered the examiner's recommended modifications and reasons. The Council determined that the Hengrove and Whitchurch Park Neighbourhood Development Plan, with modifications, met the basic conditions, was compatible with the Convention rights and complied with the definition of a neighbourhood development plan. The Council's decision and reasons, along with the prescribed modifications, were set out in the Regulation 18 Decision Statement published on 25 October 2018.

A local referendum was held in Hengrove and Whitchurch Park on 14 February 2019 to decide whether the local community were in favour of the Hengrove and Whitchurch Park Neighbourhood Development Plan. From the votes recorded, 2,757 out of 3,218 (86%) of those who voted were in

favour of the plan. The turnout of electors was 23.3%. In accordance with the Planning and Compulsory Purchase Act 2004 s38 (3A) as more than half of those voting in the referendum had voted in favour of the Hengrove and Whitchurch Park Neighbourhood Development Plan the plan became part of the statutory development plan for Bristol.

Decision and Reasons

Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that Bristol City Council must 'make' the neighbourhood plan if more than half of those that voted in the referendum had voted in favour of the plan unless it considers under s38A(6) of the same Act that this would breach, or, be incompatible with any EU obligation or any of the Convention Rights.

Bristol City Council has assessed that the making of the plan does not breach, and is not otherwise incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

In accordance with the Act, the Hengrove and Whitchurch Park Neighbourhood Development Plan is 'made' and therefore remains part of the statutory Development Plan for Bristol.