

TELFORD & WREKIN COUNCIL**CABINET****13 December 2018****LILLESHALL PARISH NEIGHBOURHOOD PLAN****REPORT OF THE ASSISTANT DIRECTOR: BUSINESS, DEVELOPMENT & EMPLOYMENT****LEAD CABINET MEMBER: COUNCILLOR OVERTON****PART A) – SUMMARY REPORT****1. SUMMARY OF MAIN PROPOSALS**

- 1.1 The Localism Act (2011) introduced legislation which allows Parish Councils to produce a Neighbourhood Development Plan (NDP) for their administrative area. This Report recommends that Lilleshall Parish Neighbourhood Plan become the fifth Neighbourhood Plan (NP) in the Borough to be adopted (made). The Plan is part of a programme of NPs being prepared by Parish and Town Councils across the Borough with the support of the Council, reflecting the commitment to engage local communities further in planning for development in their local areas.
- 1.2 Lilleshall Parish Council submitted their neighbourhood development plan (the “Lilleshall Parish Neighbourhood Plan”) (NP) and other supporting documents to Telford & Wrekin Council as local planning authority in February 2018. In response and in accordance with its statutory duties, Telford & Wrekin undertook a number of checks to ensure that all the procedural and other requirements had been met and completed a 6-week publicity period which allowed written representations to be made. An independent examination took place between July and August 2018.
- 1.3 The appointed Independent Examiner (the Examiner), Mr John Parmiter, submitted his report to the Council on 8 August 2018. The Report recommended proceeding to Referendum, subject to a number of modifications. Those modifications were applied to the Lilleshall Parish NP and Cabinet on 13 September 2018 agreed to proceed to formal Referendum.
- 1.4 The purpose of this report is to recommend that Cabinet ‘make’ the Lilleshall Parish NP following the outcome of the local Referendum on 15 November 2018. This will mean that the policies within the Lilleshall Parish NP will become part of the Development Plan for Telford & Wrekin and will be considered in the determination of planning applications in the Lilleshall Parish NP area alongside national and borough wide planning policy.

2. Recommendation

- 2.1 That Cabinet agree to make Lilleshall Parish Neighbourhood Plan**
- 2.2 That Cabinet authorise the Assistant Director: Business, Development & Employment to exercise all of the Council’s relevant powers and duties and undertake all necessary procedural arrangements relating to the making of the Lilleshall Parish Neighbourhood Plan.**

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Co-operative Council: - Involving local people more in planning and running services - As a Council, supporting our community better and encouraging people to do more to help their own communities
	Will the proposals impact on specific groups of people?	
	Yes	NDP’s contribute to the local planning framework for future development within a designated area. Production of the Lilleshall Parish NP has involved the whole of the community and people have had the opportunity to provide formal comments on policies which will affect the future development of their area including a minimum 6-week formal publicising consultation period. The referendum stage

		provided an opportunity for the whole Lilleshall Parish to vote on the plan prior to formally making the plan.
TARGET COMPLETION/ DELIVERY DATE		Subject to Cabinet approval, once the Lilleshall Parish NP is made it will be used as part of the Development Plan for the Borough
FINANCIAL/ VALUE FOR MONEY IMPACT	Yes	<p>The costs associated with the introduction of Neighbourhood Development Plans, including the additional costs of designations, examinations and referendum have to be met by the Local Authority. The Ministry of Housing, Communities and Local Government confirmed in their letter dated 30 May 2018 that £20,000 funding is available to LPA's which would cover those costs.</p> <p>November 2018 was the next claim period and The Authority has submitted a claim at that time, subsequent payment will be received in February 2019 and the cost of this NP will be met from those funds.</p> <p>AEM – 14/11/2018</p>
LEGAL ISSUES	Yes	<p>Because the referendum has now taken place and more than half of those voting have voted in favour of the LNDP, the LPA must make the LNDP as soon as reasonably practicable and in any event within 8 weeks of the referendum, unless it considers that the making of the plan would breach or otherwise be incompatible with any European Union obligation or any of the Convention Rights within the meaning of the Human Rights Act 1998.</p> <p>If the recommendation is agreed and the LNDP is made, there are further statutory procedural requirements on the Council which include an obligation to publish its decision and its reasons for that decision. The Council also has to publish on its website the LNDP as made and details of where and when it can be inspected.</p> <p>IR – 14.11.18</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Opportunities associated with the Lilleshall Parish NP include a strengthening of local engagement in the planning process. Making of the neighbourhood plan allows it to come into force as part of the statutory development plan in Telford & Wrekin. The LNDP must be made within 8 weeks of the referendum. A successfully made NP raises the profile of the Council locally and nationally.
IMPACT ON SPECIFIC WARDS	Yes	Church Aston and Lilleshall Ward

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 Neighbourhood planning was introduced by the Localism Act 2011. It provides the opportunity for a Parish/Town Council or local forum to produce a neighbourhood development plan with the involvement of local people, helping to inform future planning decisions in their area. Under the Town and Country Planning Act 1990, Telford & Wrekin Council as LPA has a statutory duty to assist communities in the preparation of the NP through the various statutory stages in the process.
- 4.2 In accordance with the 1990 Act and the Neighbourhood Planning Regulations, Lilleshall Parish Council submitted their NP in February 2018 for Telford & Wrekin Council to complete the necessary checks and proceed to the next stages of publication, examination and referendum.
- 4.3 The referendum version of the Lilleshall Parish NP is in accordance with and supports the policy approach to Lilleshall and the rural area in the adopted Telford & Wrekin Local Plan. The Lilleshall Parish NP and supporting documents are available at:

www.telford.gov.uk/lilleshallndp

4.4 A Referendum relating to the Lilleshall Parish Neighbourhood Plan was held on Thursday 15 November 2018. The question which was asked in the Referendum was: “**Do you want Borough of Telford & Wrekin to use the neighbourhood plan for Lilleshall to help it decide planning applications in the neighbourhood area?**” The count took place on Thursday 15 November 2018 and 80.5% of those who voted were in favour of the Lilleshall Parish NP being used to help decide planning applications in the plan area.

5. Considerations for Cabinet

5.1 The referendum has now taken place and more than half of those voting have voted in favour of the NP. The LPA is now obliged to make the Lilleshall Parish NP. The LPA can only decline to make the Plan if they consider that it would breach any EU obligations or any Convention rights. It is not considered that the Lilleshall Parish NP breaches any EU obligations or Convention Rights. Therefore, following the result of the Referendum, it is recommended that the Lilleshall Parish NP is made by Telford & Wrekin Council. This will allow the Lilleshall Parish NP to be given full weight in the determination of planning applications within the Parish of Lilleshall alongside national and borough-wide adopted policy.

5.2 Once the Lilleshall Parish NP is made, it will be published on the Telford & Wrekin Council website and used in the determination of planning applications for the Neighbourhood Plan area i.e. the Parish of Lilleshall.

6. Conclusion

6.1 Lilleshall Parish Council is the fifth “qualifying body” in the Borough to progress a NP to this stage, working closely with their community to produce a plan which reflects local views on future development in the Parish and policies which, once the Lilleshall Parish NP is made, will be taken into consideration in the determination of planning applications in the Parish of Lilleshall.

7. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

7.1 Once the Lilleshall Parish NP is made, it will become part of the statutory planning framework for the Borough. In accordance with the ethos of neighbourhood planning, the Lilleshall Parish NP is based on extensive community engagement and therefore a product of the community with policies reflecting their views.

7.2 In accordance with legal requirements, planning applications should be determined in accordance with the provisions of relevant Development Plan which, for Lilleshall Parish, would include the Lilleshall Parish NP as well as the Telford & Wrekin Local Plan. This is unless material considerations indicate otherwise, meaning that the Lilleshall Parish NP policies must be balanced with other considerations as part of the decision making process undertaken by the LPA.

8. PREVIOUS MINUTES

8.1 Lilleshall Parish Neighbourhood Plan: Consideration of Examiner’s Recommendations and Proposed Modifications Prior to Referendum (Cabinet, 13 September 2018)

9. BACKGROUND PAPERS

- Lilleshall Parish Neighbourhood Plan – Referendum Version
- Lilleshall Parish Neighbourhood Plan Independent Examiners Report
- Lilleshall Parish Neighbourhood Plan – Regulation 15 Submission
- Consultation Statement and appendices
- Basic Conditions Statement
- Habitat Regulation Assessment Screening Statement
- Strategic Environmental Assessment Statement
- Local Green Spaces Technical Paper

Available at: www.telford.gov.uk/lilleshallndp

10. Appendices

Appendix 1 - Lilleshall Parish Neighbourhood Plan Made Decision Statement

Date: 09 November 2018

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