

EDGMOND 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 (NP) for their administrative area. This Report recommends that Edgmond Neighbourhood Plan become the third NP in the Borough to be adopted (made). The Plan is part of a programme of NP 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 Edgmond Parish Council submitted their neighbourhood development plan (the “Edgmond Parish Neighbourhood Plan”) (ENP) and other supporting documents to Telford & Wrekin Council as local planning authority in August 2017. 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 November and December 2017.
- 1.3 The appointed Independent Examiner (the Examiner), Mr John Parmiter, submitted his report to the Council in December 2017. The Report recommended proceeding to Referendum, subject to a number of modifications. Those modifications were applied to the ENP and Cabinet on 15 February agreed to proceed to formal Referendum. The Referendum took place on 19 April 2018.
- 1.4 The purpose of this report is to recommend that Cabinet ‘make’ the Edgmond NP following the outcome of the local Referendum on 19 April 2018. This will mean that the policies within the Edgmond NP will become part of the Development Plan for Telford & Wrekin and will be considered in the determination of planning applications in the ENP area alongside national and borough wide planning policy.

2. Recommendation

2.1 That Cabinet agree to make Edgmond 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 Edgmond 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 ENP has involved the whole of the parish 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 Edgmond Parish to vote on the plan prior to formally making the plan.
TARGET COMPLETION/ DELIVERY DATE		Subject to Cabinet approval, once the Edgmond 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, referendum and examinations have to be met by the Local Authority. The Ministry of Housing, Communities and Local Government (formerly the Department for Communities and Local Government) confirmed in their letter dated 22nd February 2017 that £20,000 funding is available to LPA's which would cover those costs.</p> <p>The Authority submitted a claim for these funds on 29th March 2018 which should be received May 2018. The cost of this NP will be met from those funds. AEM – 30/04/2018.</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 ENP, the LPA must make the ENP 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 ENP 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 ENP as made and details of where and when it can be inspected.</p> <p>IR – 24.04.18</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Opportunities associated with the ENP 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 ENP 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	Edgmond and Ercall Magna 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, Edgmond Parish Council submitted their NP in August 2017 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 ENP is in accordance with and supports the policy approach to Edgmond and the rural area in the 'recently adopted' Telford & Wrekin Local Plan. The Edgmond NP and supporting documents are available at:
- www.telford.gov.uk/edgmondndp
- 4.4 A Referendum relating to the Edgmond Parish Neighbourhood Plan was held on Thursday 19 April 2018. The question which was asked in the Referendum was: **“Do you want Borough of Telford &**

Wrekin to use the neighbourhood plan for Edgmond to help it decide planning applications in the neighbourhood area?” The count took place on Thursday 19 April 2018 and 94.2% of those who voted were in favour of the ENP 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 ENP. The LPA is now obliged to make the ENP. 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 Edgmond Parish NP breaches any EU obligations or Convention Rights. Therefore, following the result of the Referendum, it is recommended that the Edgmond Parish NP is made by Telford & Wrekin Council. This will allow the Edgmond Parish NP to be given full weight in the determination of planning applications within the Parish of Edgmond alongside national and borough-wide adopted policy.
- 5.2 Once the Edgmond 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 Edgmond.

6. Conclusion

- 6.1 Edgmond Parish Council is the third “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 Edgmond NP is made, will be taken into consideration in the determination of planning applications in the Parish of Edgmond.

7. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

- 7.1 Once the Edgmond NP is made, it will become part of the statutory planning framework for the Borough. In accordance with the ethos of neighbourhood planning, the ENP 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 the Edgmond Parish, would include the ENP as well as the Telford & Wrekin Local Plan. This is unless material considerations indicate otherwise, meaning that the ENP policies must be balanced with other considerations as part of the decision making process undertaken by the LPA.

8. PREVIOUS MINUTES

- 8.1 Edgmond Parish Neighbourhood Plan: Consideration of Examiner’s Recommendations and Proposed Modifications Prior to Referendum (Cabinet, 15 February 2018)

9. BACKGROUND PAPERS

- Edgmond Parish Neighbourhood Plan – Referendum Version (January 2018)
- Edgmond Parish Neighbourhood Plan Independent Examiners Report
- Edgmond Parish Neighbourhood Plan – Examination / Regulation 15 Consultation Version
- Letter to Telford & Wrekin Council (TWC) accompanying the documents
- Consultation Statement (June 2017)
- Revised Basic Conditions Statement (June 2017)
- Edgmond Conservation Area Appraisal
- Edgmond Neighbourhood Plan Landscape Character Assessment
- Habitat Regulation Assessment Screening Statement for Edgmond Neighbourhood Plan
- Screening Statement of the need for Strategic Environmental Assessment

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

10. Appendices

Appendix 1 - Edgmond Parish Neighbourhood Plan Made Decision Statement
Appendix 2 - Edgmond Parish Neighbourhood Plan –Referendum Version

Date: 21 May 2018

