

# TELFORD & WREKIN COUNCIL

CABINET 13 September 2018

## NEWPORT NEIGHBOURHOOD DEVELOPMENT 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 Neighbourhood Development Plan (NDP) for their administrative area. This Report recommends that Newport Neighbourhood Development Plan become the fourth 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 Newport Town Council submitted their neighbourhood development plan (the “Newport Neighbourhood Development Plan”) (NNDP) and other supporting documents to Telford & Wrekin Council as local planning authority in November 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 April and May 2018.
- 1.3 The appointed Independent Examiner (the Examiner), Mr Nigel McGurk, submitted his report to the Council on 10 May 2018. The Report recommended proceeding to Referendum, subject to a number of modifications. Those modifications were applied to the NNDP and Cabinet on 31 May 2018 agreed to proceed to formal Referendum.
- 1.4 The purpose of this report is to recommend that Cabinet ‘make’ the Newport NDP following the outcome of the local Referendum on 26 July 2018. This will mean that the policies within the Newport NDP will become part of the Development Plan for Telford & Wrekin and will be considered in the determination of planning applications in the Newport NDP area alongside national and borough wide planning policy.

#### **2. Recommendation**

- 2.1 **That Cabinet agree to make Newport Neighbourhood Development 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 Newport Neighbourhood Development Plan.**

#### **3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	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 NNDP 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 Newport Town to vote on the plan prior to formally making the plan.
<b>TARGET COMPLETION/ DELIVERY DATE</b>		Subject to Cabinet approval, once the Newport NDP is made it will be used as part of the Development Plan for the Borough
<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	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 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 will be the next claim period and The Authority will submit 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 – 03/08/2018</p>
<b>LEGAL ISSUES</b>	Yes	<p>Because the referendum has now taken place and more than half of those voting have voted in favour of the NNDP, the LPA must make the NNDP 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 NNDP 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 NNDP as made and details of where and when it can be inspected.</p> <p>IR – 04.08.18</p>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	Opportunities associated with the NNDP 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 NNDP must be made within 8 weeks of the referendum. A successfully made NP raises the profile of the Council locally and nationally.
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	Newport North, Newport South, Newport East & Newport West

## **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, Newport Town Council submitted their NP in November 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 NNDP is in accordance with and supports the policy approach to Newport and the rural area in the adopted Telford & Wrekin Local Plan. The Newport NDP and supporting documents are available at:
- [www.telford.gov.uk/newportndp](http://www.telford.gov.uk/newportndp)
- 4.4 A Referendum relating to the Newport Neighbourhood Development Plan was held on Thursday 26 July 2018. The question which was asked in the Referendum was: **“Do you want Borough of Telford**

**& Wrekin to use the neighbourhood plan for Newport to help it decide planning applications in the neighbourhood area?"** The count took place on Thursday 26 July 2018 and 84.5% of those who voted were in favour of the NNDP 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 NNDP. The LPA is now obliged to make the NNDP. 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 Newport NDP breaches any EU obligations or Convention Rights. Therefore, following the result of the Referendum, it is recommended that the Newport NDP is made by Telford & Wrekin Council. This will allow the Newport NDP to be given full weight in the determination of planning applications within the Town of Newport alongside national and borough-wide adopted policy.
- 5.2 Once the Newport NDP 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 Town of Newport.

## **6. Conclusion**

- 6.1 Newport Town Council is the fourth "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 Town and policies which, once the Newport NDP is made, will be taken into consideration in the determination of planning applications in the Town of Newport.

## **7. IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

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

## **8. PREVIOUS MINUTES**

- 8.1 Newport Neighbourhood Development Plan: Consideration of Examiner's Recommendations and Proposed Modifications Prior to Referendum (Cabinet, 31 May 2018)
- 8.2 Application for the Designation of a Neighbourhood Area – Newport (Cabinet, 30 May 2013)

## **9. BACKGROUND PAPERS**

- Newport Neighbourhood Development Plan – Referendum Version
- Newport Neighbourhood Development Plan Independent Examiners Report
- Newport Neighbourhood Development Plan – Regulation 15 Consultation Version
- Consultation Statement and appendices
- Basic Conditions Statement
- Interim Statement on Regulation 14 Consultation
- Habitat Regulation Assessment Screening Statement
- Strategic Environmental Assessment Statement

Available at: [www.telford.gov.uk/newportndp](http://www.telford.gov.uk/newportndp)

## **10. Appendices**

Appendix 1 - Newport Neighbourhood Development Plan Made Decision Statement  
Appendix 2 Newport Neighbourhood Development Plan –Referendum Version

**Date: 07 August 2018**

