

Forde House
Newton Abbot

Contact Officer: Neil Aggett
E-mail: comsec@teignbridge.gov.uk

26 March 2018

EXECUTIVE

Dear Councillor

You are invited to a meeting of the above Committee which will take place on **Thursday, 5th April, 2018** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

Yours sincerely

NEIL AGGETT
Democratic Services Manager

Distribution:

- | | |
|--|---|
| (1) The Members of the Executive: | |
| Councillor Jeremy Christophers
(Leader) | Portfolio Holder for Strategic Direction |
| Councillor Humphrey Clemens
(Deputy Leader) | Portfolio Holder for Planning & Housing |
| Councillor Stuart Barker | Portfolio Holder for Corporate Resources |
| Councillor John Goodey | Portfolio Holder for Community Neighbourhoods |
| Councillor Phil Bullivant | Portfolio Holder for Recreation & Leisure |
| Councillor Kevin Lake | Portfolio Holder for Environment Services |
| Councillor Sylvia Russell | Portfolio Holder for Health & Well-being |

A link to the agenda on the Council's website is emailed FOR INFORMATION (less reports (if any) containing Exempt Information referred to in Part II of the agenda), to:

- (1) All other Members of the Council
- (2) Representatives of the Press
- (3) Requesting Town and Parish Councils

If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting

Public Access Statement

- There is an opportunity for members of the public to ask questions at this meeting. Please submit your questions to comsec@teignbridge.gov.uk by **12 Noon** on the Friday before the meeting.
- If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk
- Agendas and reports are normally published on the Council's website <http://www.teignbridge.gov.uk/agendas> 5 working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please email comsec@teignbridge.gov.uk
- Reports in Parts I and III of this agenda are for public information. Any reports in Part II are exempt from publication due to the information included, under the provisions of the Local Government Act 1972.

AGENDA

Part I

1. Apologies for absence
2. Minutes
To approve the minutes of the meeting held on 6 March 2018 (previously circulated).
3. Agreement of the Agenda between Parts I and II
4. Matters of urgency/matters of report brought forward with the permission of the Chairman
5. Declarations of Interest
6. To note action taken under delegated powers as set out in Part III of the agenda (if any)
7. Public Questions (if any)
8. Notice of Motion under Council Procedure Rule 4.5(I) (if any)
9. Adoption of Ogwell Neighbourhood Plan (Pages 1 - 4)
To consider the Adoption/Making of Ogwell Neighbourhood Plan.
10. Executive Forward Plan (Pages 5 - 8)
To note forthcoming decisions anticipated to be made by the Executive over the next 12 months.

EXECUTIVE

LEADER: Cllr Jeremy Christophers

PORTFOLIO HOLDER: Cllr John Goodey

DATE: 5th April 2018

REPORT OF: Simon Thornley, Business Manager, Strategic Place

SUBJECT: Adoption/Making of Ogwell
Neighbourhood Development Plan

PART I

RECOMMENDATIONS

The Executive is recommended to

Resolve

That the Ogwell Neighbourhood Development Plan is 'Made' and is brought into force as part of the suite of Teignbridge Local Development Plan Documents as a material consideration in planning terms relating to the Ogwell Parish Area.

1. PURPOSE

- 1.1 The purpose of this report is to inform the Executive of the results of the referenda on the Ogwell Neighbourhood Development Plan and to bring the Plan into force by making/adopting it as part of the Development Plan for the District. This will ensure that this neighbourhood plan forms a material consideration in the determination of planning applications for this parish. (Note that neighbourhood plans are 'Made' which has essentially the same meaning as when a Local Plan is 'adopted'). This accords with the provisions of the Planning and Compulsory Purchase Act 2004 Section 38A(4) as amended.
- 1.2 A copy of the Ogwell Neighbourhood Plan is available online at: www.teignbridge.gov.uk/ogwellnp

TEIGNBRIDGE DISTRICT COUNCIL

2. BACKGROUND

- 2.1 The Localism Act and associated regulations provide the legal framework for the production of Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders. These formed part of the suite of planning powers devolved to town and parish councils and neighbourhood forums under the 2011 Localism Act.
- 2.2 Following designation of Ogwell Parish area in on 17th May 2015, the Parish Council began work on their neighbourhood plan. The development of the plan was informed by extensive community and stakeholder engagement, formally and informally throughout the process.
- 2.3 Following two formal consultation periods (Pre-submission & Submission), the plan was submitted to the District Council and then subjected to an independent examination to assess whether it met the 'Basic Conditions'. Successful examination on the plan led to the separate referendum in which the decision to adopt/make the neighbourhood plan was put to a local vote on 15th February 2018.
- 2.4 On a 24.9% turnout, 91% of those casting their ballot voted yes to the question: (the wording of which is prescribed in the regulations)
- Do you want Teignbridge District Council to use the Neighbourhood Plan for Ogwell Parish to help it decide planning applications in the neighbourhood area?*
- 2.5 With the successful referendum, Teignbridge Council must 'make'/adopt the neighbourhood plan unless doing so would breach or would otherwise be incompatible with any EU obligation or any Convention Rights under the Human Rights Act. No such conflict has been identified by the neighbourhood plan examiners or by Officers of the Council. In addition the Habitat Regulation Assessments and Strategic Environmental Assessment Screening reports did not identify any likely significant effects on the Environment. As such no conflict or breach with the above has been identified and the Neighbourhood Plan should be 'made'.

3. MAIN IMPLICATIONS

- 3.1 The Neighbourhood plan contains a range of locally produced policies, now formally endorsed by the voters of the respective parishes, to help guide the decision making process. Statute provides that planning applications should be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. Once the Neighbourhood Plan is 'made/adopted it becomes formally part of the Development Plan for the parish (alongside the Teignbridge Local Plan), and will therefore have a significant role in the decision-making on planning applications within the parish.

TEIGNBRIDGE DISTRICT COUNCIL

- 3.2 In normal circumstances, Parish and Town Councils receive 15% of the receipts from the Community Infrastructure Levy raised within their area. Where there is a 'made' neighbourhood plan, this increases to 25%.
- 3.3 A proportion of the costs accrued by the District Council in the development of Neighbourhood Plans are covered by Government funding.

4. GROUPS CONSULTED

- 4.1 The regulation require Neighbourhood Development Plans to be locally informed and led. Therefore the production of a Consultation Statement is prescribed by the regulations and assessed by an independent examiner. In addition two prescribed stages of public and stakeholder consultation are required before the plan is examined and can proceed to referendum.

The Ogwell Consultation Statement is available to view at: www.teignbridge.gov.uk/ogwellnp.

5. TIME-SCALE

- 5.1 Immediate

6. DATE OF IMPLEMENTATION (CONFIRMATION OF DECISION SUBJECT TO CALL-IN)

10.00 a.m. on 5th April 2018

Simon Thornley
Business Manager, Strategic Place

Cllr John Goodey
Portfolio Holder for Community
Neighbourhoods

BELOW TO BE FILLED IN BY REPORT AUTHOR:

Wards affected	Ogwell
Contact for any more information	Simon Thornley 01626 215706 or Alexis Marsh on 07827 552497.
Background Papers (For Part I reports only)	N
Key Decision	Y
In Forward Plan	Y
In O&S Work Programme	N
Appendices attached:	None

This page is intentionally left blank



Public Notice and Annual Forward Plan – March 2018

- 1 This is an Annual Forward Plan (March - Version 3) of the key decisions and other decisions the Leader of Teignbridge anticipates the Executive taking during the next 12 months. Key decisions are decisions which the Council consider significant having had regard to Government guidance. This Plan may include other decisions which are not key decisions to be taken by the Executive, including for example, where the Executive is to make a recommendation to the Council.
- 2 Details of the proposed decisions are attached.
3. The decisions which the Executive propose to take in private and the reasons why are detailed in the list together with a brief description of the matter to be decided. If you do not think the decisions should be taken in private please advise the Democratic Services Manager, with your reasons, at the address below or email comsec@teignbridge.gov.uk
- 4 The documents which will be taken into account when making key decisions in the part of the meeting open to the public are available for inspection. Details are listed. Other documents may become available nearer the meeting. If you would like copies please contact the author of the report. Author's names and contact details are shown in the attached list. If you would like additional documents relating to a decision as they become available please contact the author and make this request.
5. Where possible, the District Council will attempt to keep to the dates shown in the Plan. It is quite likely, however, that some items will need to be rescheduled and new items added as new circumstances come to light.
6. This Plan will be updated on a monthly basis.
7. You are welcome to attend the meetings. They will take place in the Council Chamber at the address below. Agendas for Executive and other Council meetings are available on the Council's website.
- 8 You can ask questions regarding any item either in person or in writing. The deadline for the submission of questions is 12 Noon two working days prior to the meeting. You are advised to contact the Committee and Members' Services Section at the address below in advance of this time where assistance is available if required.
- 9 Should you wish to make the Councillors aware of any information in advance of a meeting you can make representations in writing. These can be made up

until the commencement of the meeting. You can also lobby Members of the Executive in advance of the meeting and for information on this or if you have any further queries, please contact the Committee Section. Telephone Neil Aggett on 01626 215113 or email Neil.Aggett@teignbridge.gov.uk

- 10 The agendas for the meetings can be made available before the meetings. The documents listed in the right hand column of the attached plan are available for public inspection at the Council Offices between the hours of 9.00 am to 4.00 pm on Monday to Friday. The estimated dates of availability are indicated and are also available on the Council's website www.teignbridge.gov.uk

Cllr JEREMY CHRISTOPHERS
Leader of the Council

Council Offices, Forde House, Newton Abbot TQ12 4XX

TEIGNBRIDGE DISTRICT COUNCIL – EXECUTIVE FORWARD PLAN

Forward Plan of anticipated key decisions by the Executive for the next 12 months commencing 1 March 2018

(K) Indicates a key decision to be made by the Executive

(R) Is a recommendation to Council.

Matter for Consideration	Date of Decision	Private Decision	Documents to be considered in preparing report	Report Author(s) & Contact Name & Number	Agenda inc. Report Published
Adoption of Ogwell Neighbourhood Plan	5/4/2018	No		Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	26/03/2018
National Planning Policy Framework	5/4/2018	No		Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	26/03/2018
Teignbridge Urban Design Guide – Supplementary Planning Document	1/5/2018	No		Report of Nick Davies – Business Manager, Planning Contact: 01626 215745	23/05/2018
Local Development Scheme Review	1/5/2018	No		Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	
Restructure Proposals	TBC	No		Report of Phil Shears – Managing Director Contact: 01626 215	TBC
Newton Abbot Regeneration	TBC	No		Report of Tony Watson – Business Manager, Economy & Assets Contact: 01626 215828	TBC
Affordable Housing Supplementary Planning Document and Starter Homes	TBC	No		Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	TBC
Supplementary Planning Document NA3 – Wolborough	TBC	No		Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	Q2 2018
Habitat Regulations Mitigation – Revised Strategy Charges	TBC	No		Report of Nick Davies – Business Manager, Planning Contact: 01626 215745	TBC

This page is intentionally left blank