

EXECUTIVE

LEADER: Cllr Jeremy Christophers

PORTFOLIO HOLDER: Cllr John Goodey

DATE: 31 October 2017

REPORT OF: SIMON THORNLEY – BUSINESS MANAGER, SPATIAL PLANNING

SUBJECT: ADOPTION / MAKING OF BISHOPSTEIGNTON AND ABBOTSKERSWELL NEIGHBOURHOOD DEVELOPMENT PLANS

PART I

RECOMMENDATIONS

The Executive is recommended to

Resolve

- a) That the Abbotskerswell 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 Abbotskerswell Parish Area.
- b) That the Bishopsteignton 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 Abbotskerswell Parish Area.

1. PURPOSE

- 1.1 The purpose of this report is to inform the Executive of the results of the referenda on both the Abbotskerswell and Bishopsteignton Neighbourhood Development Plans and to bring the Plans’ into force by making/adopting them as part of the Development Plan for the District. This will ensure that these neighbourhood plans form a material consideration in the determination of planning applications for these parishes. (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 Abbotskerswell Neighbourhood Plan is available online at: www.teignbridge.gov.uk/abbotskerswellnp
- 1.3 A copy of the Bishopsteignton Neighbourhood plan is available online at: www.teignbridge.gov.uk/bishopsteigntonnp

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 Abbotskerswell Parish area in May 2014 and Bishopsteignton Parish area in October 2012 both parish councils began work on their neighbourhood plans. The development of both plans were informed by extensive community and stakeholder engagement, formally and informally throughout the process.
- 2.3 Following two formal consultation periods (Pre-submission & Submission), the plans were submitted to the District Council and then subjected to an independent examination to assess whether the plans met the 'Basic Conditions'. Successful examination on both plans led to the separate referenda in which the decision to adopt/make the neighbourhood plans was put to a local vote on 28th September 2017.
- 2.4 In Abbotskerswell on a 30.51 % turnout, 87.9 % 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 Abbotskerswell Parish to help it decide planning applications in the neighbourhood area?

- 2.5 In Bishopsteignton on a 29.04 % turnout, 87.3 % of those casting their ballot voted yes to the question:

Do you want Teignbridge District Council to use the Neighbourhood Plan for Bishopsteignton Parish to help it decide planning applications in the neighbourhood area?

- 2.6 With the successful referenda, Teignbridge Council must 'make'/adopt the neighbourhood plans 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 Plans should be 'made'.

3. MAIN IMPLICATIONS

- 3.1 Both Neighbourhood plans contain a range of locally produced policies, now formally endorsed by the voters of the respective parishes, to help guide the

TEIGNBRIDGE DISTRICT COUNCIL

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 Plans are 'made/adopted' it becomes formally part of the Development Plan for the respective parishes (alongside the Teignbridge Local Plan). They will therefore have a significant role in the decision-making on planning applications within the two parishes.

- 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 regulations 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 Abbotskerswell Consultation Statement is available to view at:
www.teignbridge.gov.uk/abbotskerswellnp

The Bishopsteignton Consultation Statement is available to view at:
www.teignbridge.gov.uk/bishopsteigntonnp

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

10.00 a.m. on Tuesday, 7 November 2017.

Simon Thornley
Business Manager, Strategic Place

Cllr John Goodey
Portfolio Holder for Community
Neighbourhoods

Wards affected	Ambrook and Bishopsteignton
Contact for any more information	Simon Thornley 01626 215706 or David Kiernan 01626 215758
Background Papers (For Part I reports only)	N
Key Decision	Y
In Forward Plan	Y
In O&S Work Programme	N
Appendices attached:	None