

**Teignbridge District Council**  
**Executive**  
**8 March 2022**  
**Part i**

## **Adoption of Bovey Neighbourhood Development Plan**

### **Purpose of Report**

To seek the adoption of the Bovey Neighbourhood Plan.

### **Recommendation(s)**

The Executive RESOLVES to:

- (1) 'Make' (adopt) the Bovey Parish Neighbourhood Development Plan and thereby bring it into force as part of the suite of Teignbridge Local Development Plan Documents as a material consideration in planning terms relating to the Bovey Tracey Parish Area.

### **Financial Implications**

See paragraphs 1.7 and 1.8 below.

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### **Legal Implications**

There are no specific legal implications arising out of this report, but see Paragraph 1.9 below.

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### **Risk Assessment**

See paragraph 1.10 below.

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### **Environmental/ Climate Change Implications**

See paragraph 1.11 below.

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## Executive Member

Cllr Gary Taylor, Executive Member for Planning.

## Appendices

- Bovey Parish Neighbourhood Plan available online at [www.teignbridge.gov.uk/boveynp](http://www.teignbridge.gov.uk/boveynp).

## Introduction and Background

- 1.1. Following designation of the Bovey Tracey Parish area in August 2017, the Town Council and the Bovey Neighbourhood Plan Steering Group began work on their Neighbourhood Plan. The development of the plan was informed by extensive community and stakeholder engagement, formally and informally throughout the plan development process. The Neighbourhood Plan contains a range of locally produced policies, to help guide the decision making process.
- 1.2. Following the formal consultation period (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'. The successful examination of the plan led to a referendum in which the decision to 'make' (adopt) the neighbourhood plan was put to a local vote in Bovey Tracey Parish on 3 February 2022.
- 1.3. The referendum resulted in 21.95% turnout with 86.22% 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 Bovey Tracey to help it decide planning applications in the neighbourhood area?*
- 1.4. Statute requires 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' it formally becomes part of the Development Plan for the parish (alongside the Teignbridge Local Plan), and will therefore have a significant role in decision-making on planning applications within the parish.
- 1.5. 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.

## Groups consulted

- 1.6 In accordance with the Neighbourhood Planning Regulations, the Bovey Parish Neighbourhood Plan was led and informed by local people. A total of five stages of public and stakeholder consultation were undertaken during the development of the plan before it progressed to public referendum.

## Implications, Risk Management and Climate Change Impact

### Financial

- 1.7 Introduction of the Neighbourhood Plan will mean that 25 per cent of Community Infrastructure Levy receipts collected within Bovey Tracey will be passed to the Town Council for them to spend on community priorities. Until now, that figure has been 15 per cent and the difference has been retained by Teignbridge to put towards infrastructure improvements across the district. Over the next 10 years, estimates indicate that CIL generated in Bovey Tracey could amount to around £4.5 million, meaning that at least £450,000 more would be passed to the Town Council. Forecasts that underpin Teignbridge's capital programme already take this shift into account and there will be no immediate impact on our approved capital programme.
- 1.8 Teignbridge District Council will receive £20,000 following the referendum, which covers the costs accrued by the District Council.

## **Legal**

- 1.9 With the successful referendum, Teignbridge Council must 'make' the neighbourhood plans unless doing so would breach or would otherwise be incompatible with any obligation or Convention under the Human Rights Act. No such conflict has been identified by the neighbourhood plan examiner 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'.

## **Risks**

- 1.10 As the 'made' neighbourhood plan will entitle the Parish Council to receive 25% of CIL receipts for development in Bovey Tracey Parish, it is more important than ever that the Councils work together on infrastructure delivery and that investment priorities are aligned.

## **Environmental / Climate Change Impact**

- 1.11 The Plan makes a positive contribution to climate change and the environment. Key objectives of the Plan include: 'To enable resilience to climate change through the promotion of sustainable urban design' (Objective LEO3), and 'To protect and enhance the natural environment to ensure no net loss of priority habitat and species' (Objective LEO1). These are complemented by a number of specific policies related to green infrastructure, watercourses and sustainable energy, sustainable transport, biodiversity, landscape, native hedgerows, wildlife friendly development, Lowland Heath, tranquillity and dark skies.

## **Conclusion**

- 1.12 With the successful referendum, Teignbridge Council must now 'make' the neighbourhood plan through Executive resolution.