

**Teignbridge District Council
Full Council
30 July 2024
Part 1**

Adoption of Teignmouth Neighbourhood Development Plan

Purpose of Report

To seek the adoption of the Teignmouth Neighbourhood Plan.

Recommendation(s)

The Council RESOLVES to:

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

Please refer to paragraphs 1.11 and 1.12

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Executive Member

Executive Member for Planning (Gary Taylor)

Appendices

The Teignmouth Neighbourhood Plan is available online at www.teignbridge.gov.uk/teignmouthnp

Introduction and Background

- 1.1. Following designation of the Teignmouth Parish area in February 2013, the Town Council and the Teignmouth 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 Teignmouth Parish on 2 May 2024.
- 1.3. The referendum resulted in a 22% turnout with 80% of those casting their ballot voting 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 Teignmouth Parish 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 Devon County Minerals and Waste Plans) 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 Teignmouth Neighbourhood Plan was led and informed by local people. A total of seven 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% of Community Infrastructure Levy receipts collected within Teignmouth Parish will be passed to the Town Council for them to spend on community priorities. Until now, that figure has been 15% and the difference has been retained by Teignbridge to put towards infrastructure improvements across the district. As the Neighbourhood Plan does not contain any new residential development allocation sites there is no significant impact on estimates for CIL generated in Teignmouth over the next decade, although the new Built Environment policies will lead to a further level of development on undefined land within the settlement limit of the town.
- 1.8 Teignbridge District Council will receive £20,000 following the referendum, which covers the costs accrued by the District Council in supporting preparation, examination and referendum of the Neighbourhood Plan.

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 Town Council to receive 25% of CIL receipts for development in Teignmouth 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 towards mitigating climate change and supporting the environment and will be considered in conjunction with other statutory documents and policies including the District Local Plan and the National Planning Policy Framework.
- 1.12 Policies contained within the Plan include requirements for sustainable design (Policy BE3), electric charging points for plug-in vehicles (Policy TAP12) and support for small-scale renewable and low carbon energy (Policy RLC1); these carbon focused policies may also be considered with policies to protect local green space (Policy SLR1), enhancing the townscape and civic spaces with new trees and planting (Policy TCR4) and identification of locally valued areas of biodiversity, geodiversity and habitat (Policy NE2).

Conclusion

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