



Committee and date

Council

17 July 2014

10.00am

Item No

21

Public

MUCH WENLOCK NEIGHBOURHOOD PLAN: ADOPTION

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1. Summary

The purpose of this report is to inform Council of the results of the referendum on the Much Wenlock Neighbourhood Plan and for Council to bring the Plan into force by adopting it as part of the statutory development plan under the provisions of the Planning and Compulsory Purchase Act 2004 s38A as amended. A copy of the Plan has been placed in the members' library and is also available online at:

<http://shropshire.gov.uk/media/885833/much-wenlock-neighbourhood-plan-referendum-version-april-2014.pdf>

2. Recommendations

- A. That Shropshire Council as the Local Planning Authority 'makes' i.e. adopts the Much Wenlock Neighbourhood Plan and brings it into force as part of the Development Plan for Shropshire.

Report

3. Risk Assessment and Opportunities Appraisal

- 3.1 The Localism Act and Regulations covering the production of Neighbourhood Development Plans provides the Framework for the production of Neighbourhood Plans. In February 2011 Much Wenlock Town Council agreed to work with Shropshire Council to become a vanguard location for a neighbourhood plan covering the town and parish of Much Wenlock. The Town Council formed a steering group to drive the Plan and in November 2011, the Neighbourhood Plan project was launched. Much Wenlock's Neighbourhood Plan was drafted based on extensive community input and completed its final local stages, culminating in a 6 week pre-submission consultation that ended in early April 2013. The Plan was revised following this consultation and submitted to Shropshire Council and then to an external Examiner for evaluation before being put to a local vote, or referendum on 22nd May.

- 3.2 Following a 42% turn out, 85% of those voting voted yes to the question prescribed in the regulations, as follows:

Do you want Shropshire Council to use the Neighbourhood Plan for Much Wenlock Parish to help it decide planning applications in the neighbourhood area?

- 3.3 The emerging Neighbourhood Development Plan will now, after passing the referendum, go on to become part of the statutory planning framework applied in Shropshire. In spite of the collaborative nature of the process to date, the plan will very much be a product of the community and as such will contain policies that, whilst in general conformity with the Core Strategy, will not have been tested and scrutinised to the same degree as the rest of the Development Plan. The emerging Plan contains a range of locally produced policies which the community have expressly asked to be brought into play to help guide the decision making process. Statute provides that planning applications should be determined in accordance with the provisions of the Neighbourhood Development Plan policies unless material considerations indicate otherwise. The weight given to the Plan thus still remains to be balanced with other considerations when taken into the round by decision makers.
- 3.4 However having the Neighbourhood Plan adopted and in place is only part of the story, equally important is seeing these local ambitions materialise on the ground. It is important to note that the Plan provides an excellent platform for continued active engagement and discussion on development and related issues between the Council, the Town Council, the community and the local member.
- 3.5 Shropshire Council has assessed that the plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

4. Financial Implications

- 4.1 The Act and Regulations provide that the costs of appointing an Assessor conducting an Examination and holding a Referendum fall to Shropshire Council. Interim provisions allow an application for these additional costs to be met in this case as Much Wenlock is a Front Runner. A reimbursement of costs will therefore be sought from the Government. As previously acknowledged (report to Cabinet 29th May 2013) the robustness of the Neighbourhood Plan Policies will be tested over time by independent Planning Inspectors on appeal. Members are advised that the liability for future appeal costs rests with Shropshire Council as Local Planning Authority and as such the usability of the plan and its impact on local decision making will need to be carefully monitored.

5. Background

- 5.1 The Examiner's Report concluded that the plan met the basic conditions, and that subject to the modifications proposed in his report and which are set out in the Much Wenlock Neighbourhood Plan Decision Statement published on 9th

April 2014, proposed that the plan should proceed to a referendum. At a Portfolio Holder decision meeting attended by the Local Member on 31st March 2014, the Council agreed that the Examiner’s recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum.

- 5.2 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must ‘make’ the neighbourhood plan if more than half of those voting have voted in favour of the plan.

Referendum results in Much Wenlock:

Response	Votes	% of total votes cast
Yes	823	84.5%
No	130	13.3%
Turnout 41.77%	973	
Electorate Total	2329	

- 5.3 In accordance with the Regulations when the Much Wenlock Neighbourhood Plan is ‘made’ planning applications in the town and surrounding parish must be considered against the Neighbourhood Plan, as well as existing planning policy where appropriate, such as the Shropshire wide Core Strategy and emerging SAMDev as well as the National Planning Policy Framework.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Report to Cabinet 29th May 2013: Submission of the Much Wenlock Neighbourhood Plan

Portfolio Holders Decision Report 31st March 2014: Much Wenlock Neighbourhood Plan, Examiners Report and Decision to proceed to referendum

Cabinet Member

Councillor Malcolm Price

Local Member

Councillor David Turner

Appendices

The Much Wenlock Neighbourhood Plan can be accessed via this link below and a hard copy of this Plan can also be found in the Member’s Library:

<http://shropshire.gov.uk/media/885833/much-wenlock-neighbourhood-plan-referendum-version-april-2014.pdf>