

## TELFORD & WREKIN COUNCIL

### Lilleshall Parish Neighbourhood Plan Decision Statement

#### 1. Summary

- 1.1. Following an independent Examination, Telford & Wrekin Council now confirms that the Lilleshall Parish Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
- 1.2. This Decision Statement can be inspected at: Telford & Wrekin Council's web site at [www.telford.gov.uk/lilleshallndp](http://www.telford.gov.uk/lilleshallndp)
- 1.3. It can also be viewed at the following locations:
  - 1.3.1. Telford & Wrekin Council Addenbrooke House Reception, Ironmasters Way, Telford, TF3 4NT during weekdays 8.45am to 5pm,
  - 1.3.2. Telford & Wrekin Council Business & Planning First Point, Telford & Wrekin Council, Wellington Civic Offices, Larkin Way, Telford. TF1 1LX during weekdays 8:30am to 5pm, and;
  - 1.3.3. Darby House Reception, Lawn Central, Telford, TF3 4JA during weekdays 8.45am to 5pm and
  - 1.3.4. Lilleshall Parish Council Office, Lilleshall Memorial Hall, Lilleshall, Telford TF10 9HG during Mondays and Tuesdays 10:00am to 12:00pm

#### 1. Background

- 1.1. In June 2016, Telford & Wrekin Council designated the area comprising the civic parish of Lilleshall as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan in accordance with Part 2 of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.
- 1.2. Following the submission of the Lilleshall Parish Neighbourhood Plan (Regulation 15) to the Borough Council in February 2018, the plan was publicised and representations were invited. The publicity period began on 10 April 2018 and ended on 29 May 2018.
- 1.3. Telford & Wrekin Council appointed an Independent Examiner, Mr John Parmiter, to review whether the Plan met the Basic Conditions and satisfied certain other criteria as required under the legislation and whether it should proceed to Referendum.

- 1.4. The Independent Examiner's report concludes that, subject to his recommended modifications being made, the Plan meets the Basic Conditions set out in the legislation, has been prepared in accordance with all other legal requirements and should proceed to a Neighbourhood Planning Referendum.
- 1.5. Having considered each of the recommendations made in the Independent Examiner's report, and the reasons for them, the Borough Council has decided to make the recommended modifications to the draft Plan to secure that it meets the Basic Conditions set out in legislation.

## **2. Decision and Reasons**

- 2.1. At its meeting on 13 September 2018, the Borough Council agreed that the Independent Examiner's recommended modifications should be accepted and that the amended Plan should proceed to a Referendum. Appendix 1 sets out the Borough Council's Cabinet resolution in respect of this Plan.
- 2.2. The Borough Council has made the modifications recommended by the Independent Examiner to secure that the Plan meets the Basic Conditions and has made a number of other modifications for the purpose of correcting errors. Appendix 2 sets out these modifications and the reasons for making them.
- 2.3. The Borough Council agrees with the Independent Examiner's recommendation that there is no reason to extend the Neighbourhood Plan Area for the purposes of holding the Referendum.
- 2.4. The Independent Examiner has recommended that, with the specified modifications, the Plan meets the Basic Conditions and other legal requirements. The Borough Council agrees with this view. Therefore, to meet the requirements of the legislation, a Referendum which poses the question "Do you want Borough of Telford and Wrekin to use the Lilleshall Parish Neighbourhood Plan to help it decide planning applications in the neighbourhood area?" will be held in the Lilleshall Parish Council area. The date on which the referendum will take place is agreed as 15 November 2018.

## **APPENDIX 1**

### **Cabinet Resolution in respect of the Lilleshall Parish Neighbourhood Plan**

**13<sup>th</sup> September 2018**

#### **RESOLVED** that –

- (a) Subject to the modifications recommended by the Examiner being made, the Lilleshall Parish Neighbourhood Plan meets the ‘basic conditions’ and all other legal requirements as summarised in the report and the Independent Examiner’s report;
- (b) The required modifications be made to the Lilleshall Parish Neighbourhood Plan and that the Lilleshall Parish Neighbourhood Plan Referendum Version should proceed to Referendum;
- (c) The Referendum Area should not be extended beyond the designated area to which the Lilleshall Neighbourhood Plan relates;
- (d) Authority be delegated to the Managing Director to exercise all the relevant powers and duties and undertake all necessary arrangements for the Lilleshall Parish Neighbourhood Plan Referendum Version to now proceed to Referendum and for the Referendum to take place asking the question whether the voter wants Telford & Wrekin Council to use this neighbourhood plan for the Lilleshall Neighbourhood Plan area to help it decide planning applications in this neighbourhood area.

## Appendix 2

Schedule of Modification Recommended in the Independent Examiner's Report for Lilleshall Parish Neighbourhood Plan.

Modification recommended	Justification	TWC response
Move the Local Green Space maps from Appendix 2 to the main body of the plan.	The maps are better located alongside the policies for clarity	Agreed
Delete Figure 6 – Mineral Safeguarding Areas	This relates to Excluded Development and could be confusing to remain in the plan.	Agreed
Prepare a new Policies map	To deal with the remaining designations.	
Policy DEV1 – Delete words “within the existing built area of the village” and the second bullet point (“ ... a maximum 3 dwellings”)	These phrases are not supported by robust and proportionate evidence and to be generally consistent with the development plan.	Agreed
Delete Policy DEV2	No evidenced threat of coalescence and that the Lilleshall Strategic landscape Area (SLA) has been deleted from the Local Plan. Other references in the policy are covered elsewhere.	Agreed
<p>Redraw and retitle Fig 4 as follows:</p> <ul style="list-style-type: none"><li>• Rename the map as Fig 4: Contiguous boundary with Telford built-up Area</li><li>• Remove Local Green Space and Lilleshall Strategic Landscape designations;</li><li>• Redraw map so that the underlying base and contiguous boundary are</li></ul>	For clarity	Agreed

Modification recommended	Justification	TWC response
clear		
<p>Modify Policy DEV3 to read:</p> <p><b>POLICY DEV3: SITES CONTIGOUS WITH TELFORD BUILT-UP AREA</b></p> <p>Development proposals on sites contiguous with the boundary of Telford built-up area, as shown on Fig 4, will be supported provided they:</p> <ul style="list-style-type: none"> <li>• Respect the area's rural character and open aspect; and</li> <li>• Are designed and laid out to minimise any adverse scenic impacts.</li> </ul>	Policy is convoluted and modifications will help clarify policy in order to achieve its aims.	Agreed
Remove the final sentence of Policy D1 and place it in the supporting text	The sentence is not policy but an advocacy point.	Agreed
Policy D2 – add the phrase “where appropriate” to the final sentence.	To make it consistent with national policy	Agreed
Policy D3 - the first sentence – about off street parking and pedestrian links – to be accommodated as criteria; criteria (b) to be relocated to Policy INF2 as a more appropriate place; and criteria (h) to be deleted and relocated as part of DEV1, as a more appropriate place.	To clarify the policy and help it read properly.	Agreed
Policy D3 is recommended to be retitled DEV2 and together with supporting text, be relocated to follow Policy DEV1 in the plan	To make the plan ready more logically.	Agreed
Policy LE1 – delete the following sites from policy LE1: Fields surrounding The Croft (2), the MoD sports field (4), the southern – nursery land – section of the Allotments and Nursery (6) and Honnington Pond (7); and the	The sites don't meet the criteria in the NPPF. Deletions helps the plan to meet basic conditions.	Agreed

Modification recommended	Justification	TWC response
remaining list in the policy should be numbered along with the remaining maps.		
Fig 3 – rename to: Fig 3: Locations of Local Green Space designations.	For clarity.	Agreed
Redraw and move maps in Appendix 2 and place them after Fig 3 in the plan	To make them legible and easy to refer to in the plan.	Agreed
Policy LE2 - Delete the word “retain” (sixth word).	For clarity	Agreed
Policy LE3 – Delete Policy LE3 and supporting text	The policy is not in general conformity with the development plan.	Agreed
Policy INF1 - the word “reflect” in the third line be replaced by “have regard to”.	For clarity	Agreed
Policy INF2 – Delete the words “listed in the Parish Profile (Appendix 1)”.	For clarity	Agreed
Policy INF2 - Add the following facilities in the supporting text, to indicate the range of facilities that the policy refers to: <ul style="list-style-type: none"> <li>• Village Memorial Hall</li> <li>• Youth Centre</li> <li>• Cricket Club</li> <li>• Tennis Club</li> <li>• Parish Allotments</li> <li>• Primary School</li> </ul>	To have clarify the policy and help to identify what the policy refer to.	Agreed

<b>Modification recommended</b>	<b>Justification</b>	<b>TWC response</b>
• Church of St Michael and All Angels		
Policy INF3 - Policy INF3 and supporting text to be deleted	The policy is effectively an aspirational policy, not a land use policy and there is no supporting evidence for the particular aspirations.	Agreed
Policy TA1 – modify the policy slightly by: replacing the word “should” in the third line with “shall”; and adding the words “where appropriate” at the end of the first paragraph (after “biodiversity”)	For clarity	Agreed
Policy TA2 – Delete the final point concerning seeking developer contributions for “... the provision of a suitable located and design off-street car park...”	This is not backed by robust and proportionate evidence to support this requirement.	Agreed
Policy EC1 – change the reference to Strategic Landscape Areas to singular	To be consistent with modifications recommended for Policy LE3	Agreed

## Schedule of minor modifications

To enhance the clarity of the neighbourhood plan, the Parish Council and TWC have also made the following modifications for the purpose of correcting errors in the text and updating text to current position.

Part of Document	Minor modification made
<b>Policy LE1</b>	Rename the Local Green Space “allotments and nursery” to “allotments” to reflect recommendation to delete the nursery part of the designation.
<b>Page 7</b>	Under the section “Setting the scene” correct the spelling for the “Hughs Bridge Inclined Plane. Changing the word “plain” to “plane”

Richard Partington Managing Director Telford & Wrekin Council  
This statement is dated 2<sup>nd</sup> October 2018



## Lilleshall Parish Neighbourhood Plan

### Statement of Compliance

Borough of Telford & Wrekin is satisfied that, subject to the modifications recommended by the independent examiner being made (and now incorporated in the Referendum Version of the Lilleshall Parish Neighbourhood Plan), the Lilleshall Parish Neighbourhood Plan:

- meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990; and
- is not considered to breach or otherwise be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998); and;
- complies with the provisions concerning neighbourhood development plans made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 .

2.10.18...

Richard Partington

Managing Director, Borough of Telford & Wrekin