

## TELFORD & WREKIN COUNCIL

### Donnington & Muxton Neighbourhood Development Plan Decision Statement

#### 1. Summary

- 1.1. Following an Independent Examination, Telford & Wrekin Council have now confirmed that the Donnington & Muxton Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.
- 1.2. This Decision Statement, which sets out the decision and the reasons for its decision (required by reg18(2)(a)), and a copy of the Independent Examiner's report (required by reg 18(2)(c)), can be inspected at: Telford & Wrekin Council's web site at [www.telford.gov.uk/DonningtonMuxtonNP](http://www.telford.gov.uk/DonningtonMuxtonNP)
- 1.3. These documents 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, Wellington Library, Telford & Wrekin Council, Wellington Civic Offices, Larkin Way, Telford. TF1 1LX during weekdays 8:30am to 5pm, and;
  - 1.3.3. Donnington & Muxton Parish Council, Turreff Ave, Telford TF2 8HG  
Wednesday 9am–3pm, Thursday 9am–3pm, Friday 9am–  
1pm, Monday 9am–3pm and Tuesday 9am–3pm

#### 1. Background

- 1.1. In June 2019, Telford & Wrekin Council designated the area comprising the civic parish of Donnington & Muxton 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 Donnington & Muxton Neighbourhood Development Plan (Regulation 15) to the Borough Council in October 2020, the plan was publicised and representations were invited. The publicity period began on 22<sup>nd</sup> February 2021 and ran to 14<sup>th</sup> May 2021
- 1.3. Telford & Wrekin Council appointed an Independent Examiner, Mr Tony Burton, to review whether the Plan met the Basic Conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990

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 legislation, and has been prepared in accordance with all other legal requirements and should now 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 Cabinet meeting on 4<sup>th</sup> November 2021, 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 the Borough of Telford & Wrekin to use the neighbourhood development plan for Donnington & Muxton to help it decide planning applications in the neighbourhood area?" will be held in the Donnington & Muxton Council area. The date on which the referendum will take place is agreed as **27<sup>th</sup> January 2021**.

## **APPENDIX 1**

### **Cabinet Resolution in respect of the Donnington & Muxton Neighbourhood Development Plan 4<sup>th</sup> November 2021.**

#### **RESOLVED that –**

- (a) Cabinet agreed with the Independent Examiner that, subject to the modifications recommended by him being made, the Donnington & Muxton Parish Neighbourhood Development Plan met the “basic conditions” and all other legal requirements as summarised in this report and in the Independent Examiner’s report;**
- (b) Cabinet agreed that the required modifications should be made to Donnington & Muxton Parish Neighbourhood Development Plan and that the Donnington & Muxton Parish Neighbourhood Development Plan Referendum Version (September 2021) should proceed to Referendum;**
- (c) Cabinet agreed that the Referendum Area should not be extended beyond the designated area to which the Donnington & Muxton Neighbourhood Development Plan relates; and**
- (d) The Chief Executive proceed to exercise all the relevant powers and duties and undertake all necessary arrangements for the Donnington & Muxton Parish Neighbourhood Development Plan (Referendum Version) to proceed to Referendum and for the Referendum to take place asking the question whether the voter wanted Telford & Wrekin Council to use this neighbourhood development plan for the Donnington & Muxton Parish Neighbourhood Development 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 Tibberton & Cherrington Neighbourhood Plan.

<b>Ref</b>	<b>Modification recommended</b>	<b>Justification</b>	<b>TWC response</b>
M1 (Required)	Include the neighbourhood area boundary in the Policies Map legend and provide a link to the boundary map provided on Telford & Wrekin's website.	Policies map legend does not include neighbourhood area boundary. Source of confusion	Accepted
M2	Show the period of the Plan as 2017-2033 throughout the document	Consistency	Accepted
OM1 (Optional)	List all the evidence base documents used in the Plan in an Appendix along with links to those prepared specifically for the Plan and consider providing a section of the Parish Council's website which brings together all the documents in the Plan's evidence base into a single location.	Copies not publically available	
M3	Replace title of "Policies Map" with "Local Plan Policies Map for Donnington & Muxton"	Clarification to avoid confusion,	Accepted
OM2	In the contents: <ul style="list-style-type: none"><li>• Correct the page numbers for Sections 3.5, 3.8 and 4</li><li>• Amend "Tables and Plans" heading to "Table and Map"</li></ul>	Clarity	Accepted
OM3	Delete "and allocation of key sites for specific kinds of development" from the second paragraph of the Foreword	No allocations in the plan	Accepted

Ref	Modification recommended	Justification	TWC response
OM4	Clarify whether references to “The Council” relate to Telford & Wrekin Council or Donnington and Muxton Parish Council throughout the Plan	Clarification	Accepted
M4	Amend the biodiversity appendix to omit any references to it being a policy. This could be achieved by: <ul style="list-style-type: none"> <li>• Deleting “Policy” in the title</li> <li>• Renaming the “Policies” section as “Statement”</li> <li>• Removing reference to the “policy” in paragraph 3.3.7</li> </ul>	Does not comprise as planning policy.	Accepted
OM5	Undertake a light edit of the Plan to address grammatical and syntax errors	Overview	Accepted
M5	Replace Policy H1 with “Development of new housing will be supported within the built up area, on sites identified within the Local Plan, and on other sites with extant permission or committed development, and on appropriate windfall sites.”	Does not meet the basic conditions	Accepted
M6	Amend Policy H2 to: <ul style="list-style-type: none"> <li>• Replace the opening two lines with “New housing development that achieves high standards of place-led design will be supported and it should:”</li> <li>• Replace “Will not have” with “Avoid” in the fourth criterion</li> <li>• Add a comma to the end of each of the first seven policy criteria and add “and” to the end of the penultimate criterion.</li> </ul>	Does not meet the basic conditions	Accepted
M7	Insert “consistent with the residential parking standards in the Local Plan” at the end of paragraph 3.1.12.	Clarification	Accepted
M8	Amend Policy B1 to: <ul style="list-style-type: none"> <li>• Replace the opening two lines with “Industrial, business and commercial development within Use Class E(g) will be supported subject to the following criteria:”</li> </ul>	Does not meet the basic conditions	Accepted

Ref	Modification recommended	Justification	TWC response
	<ul style="list-style-type: none"> <li>• Insert “The proposal” at the beginning of the fourth and fifth criterion</li> <li>• Replace “Does not adversely affect” with “The proposal does not have a significant adverse impact on”</li> <li>• Replace the full stops with commas at the end of each of the first five policy criteria and add “and” to the end of the penultimate criterion</li> </ul>		
M9	<p>Amend Policy B2 to:</p> <ul style="list-style-type: none"> <li>• Insert “Outside existing Strategic Employment Areas” at beginning</li> <li>• Insert “in Use Class E” after “land” in the first line</li> <li>• delete “only” in the second line</li> <li>• Create a bullet point after “that” in the second line: <ul style="list-style-type: none"> <li>- “other sites have been assessed and evidence provided as to why these sites are not appropriate or available”</li> </ul> </li> <li>• Create a second bullet point for the remainder of the Policy from “the site is no longer viable”</li> </ul>	Does not meet the basic conditions	Accepted
M10	<p>Amend Policy GS1 to</p> <ul style="list-style-type: none"> <li>• Replace “Protection Public Open Spaces” with “Protecting Open Spaces” in the title</li> <li>• Replace “will not be supported” with “should demonstrate” in the first two lines</li> <li>• Delete “Where it can be demonstrated” in the first criterion</li> <li>• Delete “Where it can be demonstrated” and Insert “to an equal or improved standard” after “space” in the second criterion</li> <li>• Delete “Where” in the third criterion</li> <li>• Delete “Where” in the fourth criterion</li> </ul>	Does not meet the basic conditions	Accepted
M11	Provide details of the boundaries of all the different “open spaces” as referenced in the supporting text (including a link to a map of suitable scale)	Clarity	Accepted

Ref	Modification recommended	Justification	TWC response
M12	Combine and amend Policy GS2 and Policy RPF1 to read:  “Policy GS2 – Provision of open space and pedestrian and cycle links  The provision of new open spaces and accessible pedestrian and cycle links and bridleways to and between open spaces, recreation areas and the Green Network will be supported”	Unnecessary overlap	Accepted
M13	Provide details of the boundary of the Open Spaces, recreation areas and the Green Network (including a link to a map of suitable scale)	Clarification	Accepted
M14	Amend Policy GS3 to: <ul style="list-style-type: none"> <li>• Replace “will not be supported” with “should be avoided”</li> <li>• Delete “generally”</li> </ul>	Does not meet the basic conditions	Accepted
M15	Amend Policy GCP1 to insert “significantly” before “adversely”	Does not meet the basic conditions	Accepted
M16	Provide details of the boundary of Granville Country Park and Local Nature Reserve (including a link to a map of suitable scale)	Does not meet the basic conditions	Accepted
M17	Amend Policy TR1 to: <ul style="list-style-type: none"> <li>• Delete “and Cycle ways” in the title</li> <li>• Add “and bridleways” after “links”</li> </ul>	Does not meet the basic conditions	Accepted
M18	Amend Policy TR2 to: <ul style="list-style-type: none"> <li>• Insert “Public” before “off-street” in the title</li> <li>• Replace “will not be supported unless” with “should demonstrate that”</li> </ul>	Does not meet the basic conditions	Accepted

Ref	Modification recommended	Justification	TWC response
	<ul style="list-style-type: none"> <li>Replace “is provide” with “will be provided”</li> </ul>		
M19	Delete Policy RPF1 (and combine it with Policy GS2)	Does not meet the basic conditions	Accepted
OM6	Make amendments to Section 3.6 “Recreation and Play Facilities” to delete it or retain it without specific reference to a Plan policy	Similarities to other chapters.	Accepted
M20	M20 – Delete Policy CF1	Does not meet the basic conditions	Accepted
M21	<p>Amend Policy CF2 to read:</p> <p>“Proposals for new and/or improved local community facilities in Donnington and Muxton will be supported subject to the proposal not having a significant and harmful impact on the amenity of surrounding residential areas or the local environment.”</p>	Grammatically flawed	Accepted
M22	<p>Replace Policy LRE1 with:</p> <p>“New development proposals in Donnington and Muxton should be designed to be energy efficient. Relevant planning applications should include a statement setting out how the development will achieve this, including as appropriate:</p> <ul style="list-style-type: none"> <li>Siting and orientation to optimise passive solar gain, and</li> <li>The use of energy efficient measures such as loft and wall insulation and double glazing.</li> </ul> <p>The retrofitting of heritage buildings (listed buildings and non-designated heritage assets) is encouraged to reduce energy consumption where appropriate, providing it safeguards the historic characteristics of the building.</p>	Amended due to unnecessary references.	Accepted



Ref	Modification recommended	Justification	TWC response
	Non-residential development meeting the Building Research Establishment (BREEAM) “excellent” standard will be supported.”		
M23	Replace Policy RWC1 with:  “Proposals for major new residential development should consider opportunities to calm traffic speeds and manage traffic volumes.”	Lack of clarity	Accepted
M24	Provide a definition of “major residential development” in the supporting text consistent with the Telford and Wrekin Local Plan and national planning policy	Further clarification	Accepted
OM7	Combine sections 3.5 and 3.6 and renumber Policy RWC1 as Policy TR3		Accepted