

# PLYMPTON ST MARY NEIGHBOURHOOD PLAN CABINET REPORT – 11 JUNE 2019



Date: 11 June 2019

Title of Report: **Plympton St Mary Neighbourhood Plan**

Lead Member: Councillor Mark Coker (Cabinet Member Strategic Planning and Infrastructure)

Lead Strategic Director: Anthony Payne (Strategic Director for Place)

Author: Rebecca Miller (City Planning Manager)

Contact Email: rebecca.miller@plymouth.gov.uk

Your Reference: PSMNP

Key Decision: No

Confidentiality: Part I - Official

## **Purpose of Report**

This report seeks Cabinet approval to formally 'make' the Plympton St Mary Neighbourhood Plan. This plan has been prepared by Plympton St Mary Neighbourhood Forum, as the qualifying body, to prepare a set of policies for use in the decision making process for applications within the Plympton St Mary ward. This is the first Neighbourhood Plan in Plymouth to reach this stage since the Localism Act 2011 was introduced.

The Plympton St Mary Neighbourhood Plan referendum took place on 2 May 2019 with the question 'Do you want Plymouth City Council to use the Neighbourhood Plan for Plympton St Mary to help it decide planning applications in the neighbourhood area?'

There was a 36.32 per cent turn out with 3,240 votes for 'yes' and 344 votes for 'no'.

Following the result, this report recommends that the Plympton St Mary Neighbourhood Plan 2015 to 2034 (as amended) is officially 'made' by the Council and forms part of the Local Development Plan for Plymouth. The Neighbourhood Plan will then be used to make planning decisions alongside local and national planning policy and guidance within the Plympton St Mary neighbourhood plan area.

## **Recommendations and Reasons**

That Cabinet formally approves the 'making' of the Plympton St Mary Neighbourhood Plan with immediate effect as part of the development plan for Plymouth to be used in determining planning applications, pursuant to section 38A(4) of the Planning and Compulsory Purchase Act 2004.

REASON: To meet the Council's statutory requirements as set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012, and to enable the Neighbourhood Plan to be 'made' following a positive referendum result.

## **Alternative options considered and rejected**

Do not 'make' the neighbourhood plan.

**REASON:** The Plympton St Mary Neighbourhood Plan has gone through an independent examination process, the Examiner stated that the Plan met the Basic Conditions and the plan should proceed to referendum which was supported by the Council. The result of the referendum shows that the Plympton St Mary Neighbourhood Plan has support from the local community and this should be adhered to.

## **Relevance to the Corporate Plan and/or the Plymouth Plan**

**A GROWING CITY** – The Plympton St Mary Neighbourhood Plan policies in the Plympton St Mary Neighbourhood Plan are consistent with the Council's current and emerging local development plan which supports the wider objectives of the city.

**A CARING COUNCIL** – Officers of the Council have supported each stage of the neighbourhood plan process to ensure the Forum has been able to fully exercise the rights allowed to it under the NPPF and the Localism Act 2011.

The Plymouth Plan – Neighbourhood planning embodies the philosophy of the Plymouth Plan. The neighbourhood planning process gives power back to local residents and gives local residents the opportunity to contribute to the vision of Plymouth's future. It also promotes sustainable growth and conforms to the Plymouth and South West Devon Joint Local Plan (JLP) which embodies the ethos of the Plymouth Plan.

## **Implications for the Medium Term Financial Plan and Resource Implications:**

Once the Plympton St Mary Neighbourhood Plan is made 25 per cent of any receipts of Community Infrastructure Levy (CIL) collected within the Neighbourhood Plan boundary should be spent on priorities agreed with the community as per government guidance. This is called the 'neighbourhood portion' of CIL. For this to apply, the neighbourhood plan must have been made before a relevant planning permission first permits development.

Once the Neighbourhood Plan is 'made', officers will work with the community to ensure the 'neighbourhood portion' of CIL within Plympton St Mary is spent on priorities identified by the community.

## **Carbon Footprint (Environmental) Implications:**

The Plympton St Mary Neighbourhood Plan is set within the bounds of sustainable development, including through environmental sustainability. The plan includes policies which promotes sustainable travel methods, allocates green space for protection and promotes sustainable housing developments.

## **Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:**

*\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

The Plympton St Mary Neighbourhood Plan provides a vision for Plympton St Mary to remain a thriving and vibrant community that retains its sense of identity. This vision runs throughout the plan alongside a set of objectives covering a wide variety of themes. These are in conformity with current local development policy in Plymouth.

The Plympton St Mary Neighbourhood Plan is a development document and so the main focus is on the environment of Plympton St Mary. The Plan includes policies which protect greenspace, support housing developments (including encouraging specialist housing such as affordable and independent), supports the provision of new healthcare and education facilities and improves shopping areas and opportunities for sustainable travel.

The Plan supports development and provides additional detail in the creation of sustainable communities. It responds to issues such as community safety, community cohesion, child poverty and equalities and diversity.

During the examination of the Plympton St Mary Neighbourhood Plan, the Examiner confirmed that the neighbourhood plan meets the Basic Conditions. One of these conditions is that it must be compatible with human rights requirements. Officers agree that the plan meets the Basic Conditions.

## Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report (mandatory)							
B	Equalities Impact Assessment (mandatory)							
C	Plympton St Mary Neighbourhood Plan 2015 to 2034							

## Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

## Sign off:

Fin	p119.20.15	Leg	LS/32628/JP/May19	Mon Off	ItLS/32628/JP/May19	HR	n/a	Assets	n/a	Strat Proc	n/a
-----	------------	-----	-------------------	---------	---------------------	----	-----	--------	-----	------------	-----

Originating Senior Leadership Team member: Paul Barnard

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 22/05/2019

Cabinet Member signature of approval: Cllr Mark Coker 'approved by email'

Date: 22/05/2019

## **1.0 Introduction**

- 1.1 This report recommends that the Plympton St Mary Neighbourhood Plan 2015 to 2034 is officially 'made' by the Council following a positive referendum result. The Neighbourhood Plan will then be used to make planning decisions alongside local and national planning policy and guidance within the Plympton St Mary neighbourhood plan area.
- 1.2 The referendum was the culmination of the neighbourhood plan production process as set out in the National Planning Policy Framework (NPPF) 2012, 2018, the Localism Act 2011 and in line with the regulations set out in the Neighbourhood Planning (General) Regulations 2012.

## **2.0 What is neighbourhood planning?**

- 2.1 Neighbourhood planning was introduced through the Localism Act 2011 and gave communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. The local community can choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like, what infrastructure should be provided and grant planning permission for the new buildings they want to see go ahead.
- 2.2 Neighbourhood plans are one of the tools available to local communities and are documents which include policies on land use written by the community through representatives in a constituted 'Neighbourhood Forum'.
- 2.3 All neighbourhood plans are subject to an independent examination and a vote by the local community in a referendum. Only a neighbourhood plan that appropriately fits with local, strategic and national policies and complies with legal conditions may be put to a referendum.
- 2.4 As a local planning authority, Plymouth City Council has a statutory duty to support neighbourhood forums and provide technical advice and guidance as neighbourhoods draw up their proposals.
- 2.5 Plymouth City Council encourages neighbourhood planning across the city and there are currently four neighbourhood areas in the city at different stages of production:
- Barne Barton;
  - Devonport;
  - The Hoe;
  - Plympton St Mary.
- 2.6 The Localism Act 2011 and The Neighbourhood Planning (General) Regulations 2012 give power to Local Planning Authorities to approve a neighbourhood plan to proceed to referendum. The referendum is the culmination of the neighbourhood plan production process. Plympton St Mary is the first neighbourhood plan to reach this stage.

### **3.0 The Plympton St Mary Neighbourhood Plan**

- 3.1 The Plympton St Mary Neighbourhood Plan area is the electoral ward of Plympton St Mary. Applications to formally establish the forum and neighbourhood plan area were approved on 25 January 2016.
- 3.2 The Plympton St Mary Neighbourhood Plan has been through the statutory stages of neighbourhood plan making in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended):
- Area designation
  - Forum established
  - Pre-submission consultation
  - Legal compliance check
  - Public consultation
  - Examination
  - Referendum
- 3.3 The Plympton St Mary Neighbourhood Forum, as the qualifying body producing the plan, has placed community consultation at the heart of their plan, undertaking a series of consultations and developing evidence to support their policies. This process has generated a lot of interest from the local community and the plan and the policies within it have been supported by the majority of respondents at the earlier stages.
- 3.4 The Forum have used and referenced the policies and evidence base of the Plymouth and South West Devon Joint Local Plan (JLP) throughout their plan and in their own evidence base which is an approach supported by the Council.
- 3.5 The Plympton St Mary Neighbourhood Plan 2015 to 2034 was sent to referendum ahead of the JLP adoption on the 26 March 2019. As a result, the neighbourhood plan has been updated to reflect the adopted policy numbers of the Joint Local Plan to avoid confusion.
- 3.6 Throughout the plan production officers have supported the Forum and have formally responded at various stages in the plan making process.

### **4.0 Examination**

- 4.1 On 15 October 2018 the Plympton St Mary Neighbourhood Plan was submitted to the Council. The Council consulted on the Neighbourhood Plan from 2 November to 14 December 2018 and it was sent to an Independent Examiner for consideration on 17 December 2018.
- 4.2 The Examiner was appointed by Plymouth City Council with the agreement of the Forum. This examination was carried out using the written representations process.
- 4.3 The final Examiner's report was received on 8 February 2018 and recommended that the neighbourhood plan proceeded to referendum, subject to modifications. These modifications were discussed and agreed with the Forum. The main changes can be summarised as follows:
- Add clarity regarding the status of the Community Actions which do not commit the Council to undertake any of the actions or change any of its own policies;
  - Amendments to the wording of policies PSM1, PSM2, PSM3, PSM4, PSM9, PSM10, PSM11, PSM12, PSM13 to improve clarity of the wording, enable easier interpretation of the policies and ensure the policies can be used effectively in the decision making process.

## **5.0 Referendum**

- 5.1 On 5 March 2019 Cabinet recommended that the plan proceed to referendum.
- 5.2 On 2 May 2019 the referendum took place with the question 'Do you want Plymouth City Council to use the Neighbourhood Plan for Plympton St Mary to help it decide planning applications in the neighbourhood area?'
- 5.3 There was a 36.32 per cent turn out with 3,240 votes for 'yes' and with 344 votes for 'no'.
- 5.4 If approved by Cabinet, officers will use the Plympton St Mary Neighbourhood Plan to make planning decisions within Plympton St Mary alongside local and national policy and relevant guidance as per the regulations.

## **6.0 Next Steps**

- 6.1 Subject to Cabinet approval to make the plan, the Plympton St Mary Neighbourhood Plan will come into force with immediate effect. The made plan will be published on the Council's website and will be used for development management purposes for applications within the Plympton St Mary ward. The Council will continue to work with the Forum to keep the plan under review.