

**TAVISTOCK TOWN COUNCIL  
30<sup>th</sup> JULY, 2024**

**TAVISTOCK NEIGHBOURHOOD DEVELOPMENT PLAN**

**1. PURPOSE OF THE REPORT**

To consider the emerging draft Neighbourhood Development Plan and associated documents (submission version) for Tavistock following completion of the 'Regulation 14' pre-submission consultation and publicity stage and, subject to compliance with the 'Regulation 15' requirement, submit the document to the Local Planning Authorities (in its capacity as the qualifying body) in order that it may proceed to Examination/Referendum.

Note - whilst West Devon Borough Council is the 'lead' Local Planning Authority, because part of the Plan area falls within the National Park boundary it is also necessary to submit any emerging/submission version NDP and accompanying submissions to the Dartmoor National Park Authority.

**2. CORPORATE POLICY CONSIDERATIONS**

The development of a fit for purpose Neighbourhood Development Plan for Tavistock potentially engages policies D1, D3, D5, C1, C2, C3, C4, EN1, EN5, EN6, EN7, EN8, EC1, EC2, of the Tavistock Town Council's Strategic Plan 2024-2027.

**3. LEGAL AND RISK MANAGEMENT ISSUES**

Neighbourhood Development planning is a process originating from the Localism Act 2011 and thereby principally governed by the Town & Country Planning Act 1990 (as amended), Planning and Compulsory Purchase Act 2004 (as amended), and consequential regulations.

Insofar as Risk Management is concerned at this stage of the developmental process the principal potential risks include, but are not limited to, failure of the proposal to comply with the 'Regulation 15' requirements, material issues arising at the examination stage, or failure to successfully proceed following referendum. There are also potential 'Macro' risks associated with consequential impacts arising from any forthcoming change of Government Policy on Planning in relation to the Neighbourhood Development or wider planning processes.

**4. RESOURCE ISSUES**

There are no new resource issues anticipated to arise from this report on the basis as set out. Subject to the utilisation of Grant Funding wherever possible the Council has made the Localism Budget available to meet associated costs. Progress against cost is regularly reported to the DM&L Committee and

Council alongside periodic programme reporting to/review by the Budget and Policy Committee.

## **5. ENVIRONMENTAL ISSUES**

The environmental issues associated with a Neighbourhood Development Plan are necessarily contingent upon the content and scope of the plan on adoption. However, the emerging Tavistock Neighbourhood Development Plan does seek to contribute toward the sustainable use and development of the built and natural environment of the Town, to enhance resilience and to reflect the views of the Community and other stakeholders who have contributed to its production within the current framework of the South West Devon Joint Local Plan and National Planning Policy Framework.

## **6. COMMUNICATION ISSUES**

There has been extensive consultation, communication and engagement in the development of the Tavistock Neighbourhood Development Plan which is set out, in more detail, in the associated Consultation Statement. In addition there has been the involvement the Local Planning Authority(ies) throughout to ensure support for plan content and compliance alongside ongoing reports to the organs of Council.

## **7. RECOMMENDATIONS**

That Council adopt those recommendations as set out in para 3.7 below.

### **1. BACKGROUND**

- 1.1 Council will recall that in June 2021 it adopted a wide range of arrangements to underpin and inform the establishment and development of a Neighbourhood Development Plan (NDP) for Tavistock. In particular these were underpinned by a commitment to a Community led plan, overseen and supported by the Town Council (the 'Qualifying Body').
- 1.2 Since 2021 extensive work has been undertaken by the Neighbourhood Development Plan Steering Group (NDPSG) to develop the draft (submission version) Neighbourhood Development Plan (and Design Guide) in accordance with the Statutory Requirements and accompanied by regular reporting to the Council, including through the DM&L Committee of progress and, where appropriate, seeking directions. It is now at the 'submission version' stage.
- 1.3 By way of most recent timeline the Council endorsed the Draft NDP and Design Guide on 6<sup>th</sup> February, 2024 for pre-submission consultation. Subsequent to the consultation the DM&L Committee then received, on 4<sup>th</sup> June, the detailed (principally unanimous) responses of the Steering Group to submissions received in connection with the Regulation 14

Consultation ([file:///C:/Users/Town-Clerk/Downloads/Agenda%20Item%207a%20-%20Tavistock-NDP-SG-meeting-minutes-22.05.24%20\(1\).pdf](file:///C:/Users/Town-Clerk/Downloads/Agenda%20Item%207a%20-%20Tavistock-NDP-SG-meeting-minutes-22.05.24%20(1).pdf) ).

## **2. CURRENT POSITION**

- 2.1 The current position is that the submission version plan and design guide have just completed the 'Regulation 14' consultation stage and been updated accordingly. In practice that means that this is the last point in the development process at which either the Steering Group, or the Council in its capacity as 'Qualifying Body' can seek to make amendments (if necessary) to the document prior to it being passed to the Local Planning Authority(ies) (LPA) to progress.
- 2.2 Council will be mindful that any amendments of substance now proposed (ie post consultation) could, if of a material nature, require re-running either the consultation process itself and/or the overall NDP process. Furthermore as a matter of due process, any such should not normally be inconsistent with the outcome of the Regulation 14 Consultation Stage.
- 2.3 Accordingly the case for any such (material) proposals would need to be compelling. To mitigate that possibility the LPA and the Council's appointed Planning Consultant have been engaged throughout the process to support, proof and contribute to the work of the NDPSG as/where appropriate. Both have confirmed from their extensive involvement that the development of the plan and associated documentation, has so far as they are aware, followed the required processes in reaching this stage. That includes after having considered technical questions raised at the most recent Consultation Stage. Matters of content such as whether or not to allocate sites, introduce a settlement boundary, make green space designations etc properly fell to be considered and made as part of the evolving plan making process.
- 2.4 In addition to the submission version Plan (and Design Code) there are requirements to provide other documents of a procedural nature such as a 'Basic Condition Statement' and 'Consultation Statement' as well as confirmation of the outcome of the Strategic Environmental Assessment (SEA) screening exercise. Once passed to the LPA(ies) it/they will then assume responsibility for the costs of the next (Regulations 16) publicity and consultation stage.
- 2.5 In the event that there are objections received by the LPA(ies) at that point those will, in effect, become submissions by virtue of Regulation 17 to the Examiner appointed to consider the submission version Plan and, subject to outcome, identify any version to proceed to Referendum. In

order for the Plan to have effect it will need to be successful at a Referendum of the electors of the Parish of Tavistock.

- 2.6 The submission version Plan can be viewed at [Tavistock-Draft-Submission-Neighbourhood-Plan-v.4.6-17-07-24](#) (the plan proposal) and the Tavistock Design Guide at [Tavistock Design Codes and Guidelines Postreg14 Final](#) .These documents now represent the 'final draft' as recommended by the Neighbourhood Development Plan Steering Group for consideration and, as appropriate, approval that Council may refer to the Local Planning Authority as outlined above. Also appended are links to procedural documents – the Consultation Statement [Tavistock-Neighbourhood-Plan-Draft-Consultation-Statement-20-07-24](#) and Basic Condition Statement [Tavistock-Neighbourhood-Plan-Submission-Draft-Basic-Conditions-Statement-v-1.2-15-07-24](#) and the SEA screening report [EE01 Tavistock-NP SEA-Screening-Opinion-V1.0 060324](#)
- 2.7 The Council should also be advised that one technical aspect had only recently been undertaken - a screening exercise for (and then only if required) a Habitat Regulations Assessment (HRA). This is because that work falls to the LPA and is therefore outside the scope of the NDPSG.
- 2.8 If the Screening Report indicated a need for a HRA then there would potentially be a delay to the progression of the submission version Plan. However, preliminary indications from the Strategic Environmental Assessment screening were that an HRA was unlikely to be required, and the subsequent screening exercise has confirmed that position [EE00 Tavistock-NP-HRA-Screening-17 07 24](#)
- 2.9 On a broader note the Council will be mindful of recent Government announcements regarding possible changes to the Planning System in England and Wales. In view of the potential uncertainty arising advice has been sought from the lead LPA as to if/how best to proceed in the circumstances. It has advised that, in it's view, it is appropriate to continue to proceed with the process for making of the Neighbourhood Development Plan at this time. Any future changes can be picked up through the review system.
- 2.10 Throughout the Plan making process there has been, as indicated above, extensive and ongoing public consultation and engagement alongside a close and collaborative working arrangement with the lead LPA to ensure a plan which not only reflects local/community needs and aspirations, but also the views of the Council and the legal and technical requirements mandated for such documents.

### **3. CONCLUSION**

- 3.1 The submission version Neighbourhood Development Plan and Design Guide and associated documents very much reflect the input of the Community and Council through the many stages of its development. The timely progress, breadth and depth of work undertaken, and the discipline applied in areas of policy development, project management and finance by the Steering Group are to be commended.
- 3.2 Looking ahead it is acknowledged that there may be amendments of an administrative or corrective (but non-material) nature required following any decision of Council to progress with the proposal. Also that, as identified above, adoption will flow from the satisfactory outcome of a screening exercise for a HRA.
- 3.3 However, the document is now in 'final draft' form and there have been no material changes to the most recent versions of the Plan and Design Guide as seen previously by Councillors other than by way of response to consultation (see appended Consultation Statement). Those do not include any substantial/material changes which have been recommended for adoption to that previously seen.
- 3.4 Any other (non-material) changes have been made as/where appropriate and as indicated. To assist a Policy Document is included at Appendix 1 setting out the current position (also available on the Tavi Plan website).
- 3.5 In summary there has been a particularly high level of consensus in development of the submission, accompanied by constructive/positive input from those planning professionals appointed to monitor and facilitate its progress. Accordingly it is submitted that (absent LPA advice to the contrary), any potentially material amendments at this stage should not be progressed at this time but be carried forward for inclusion at the first plan review following making.
- 3.6 Also this Meeting of Council will be preceded by an opportunity for all Councillors to attend at a briefing session, the format of which, including the arrangements for asking questions, is as set out in the email of the Town Clerk to all Councillors of 13<sup>th</sup> June, 2024. The briefing commences at 5.15pm on 30<sup>th</sup> July in the Council Chamber and all Members of the Council are invited to attend. Members of the public will be able to attend via youtube  
<https://www.youtube.com/channel/UC9lBypTqpnl344vwMiKM6IA>

3.7 In the circumstances it is:

RECOMMENDED THAT Tavistock Town Council:

- a. Commend the Neighbourhood Development Plan Steering Group for the scope, depth and rigour of its approach to the NDP and associated documents and arrangements;
- b. Approve and endorse the submission version Neighbourhood Development Plan and the Design Code and Guide for Tavistock, together with the accompanying Basic Conditions Statement, Consultation Statement and Strategic Environmental Assessment Screening Report, Habitat Regulation Assessment Screening Report and Summary of the Plan's Policies as a basis for referral to the Local Planning Authorities in order that the Plan may progress to the Regulation 16 stage;
- c. Authorise the Planning Consultant engaged by the Town Council to support the Neighbourhood Development Plan Steering Group, in consultation with the Chairman of the Steering Group, to undertake any necessary non-material corrections or amendments, including those of an administrative nature prior to submission.
- d. Subject to (c) above, approve and authorise submission to the Local Planning Authorities in due course.
- e. Endorse the continuation of extant regular reporting arrangements from the NDPSG to the Council on the progress of the Plan through the remaining stages of the plan making process

3.8 The instructions of the Council are sought.

**CARL HEARN  
TOWN CLERK  
TAVISTOCK TOWN COUNCIL  
JULY 2024**