



**BOROUGH OF TELFORD & WREKIN**  
**Donnington & Muxton Parish Neighbourhood Plan Decision**  
**Statement Regulation 19 Neighbourhood Planning (General)**  
**Regulations 2012**

## **1. Summary**

1.1. Following a positive referendum result Borough of Telford & Wrekin (“Telford & Wrekin Council”) is publishing its decision to make the Donnington & Muxton Parish Neighbourhood Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012. The Donnington & Muxton Parish Neighbourhood Plan is now part of Telford & Wrekin Councils Development Plan.

## **2. Background**

- 2.1. 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.
- 2.2. 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.
- 2.3. 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.
- 2.4. 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.

- 2.5. Having considered each of the recommendations made in the Independent Examiner's report, and the reasons for them, the Borough Council decided to make the recommended modifications to the draft Plan to secure that it meets the Basic Conditions set out in legislation. At its meeting on 4<sup>th</sup> November 2021, the Council agreed that the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to referendum.
- 2.6. A referendum was held on 27<sup>th</sup> January 2022 and 81.08% of those who voted were in favour of the plan.
- 2.7. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the Neighbourhood Development Plan if more than half of those voting have voted in favour of the plan.
- 2.8. However, the council are not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

### **3. Decision and Reasons**

- 3.1. With the Examiner's recommended modifications, the Donnington & Muxton Parish Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provisions made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.
- 3.2. The referendum held on 27<sup>th</sup> January 2022 met the requirements of the Localism Act 2011 posing 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?**'
- 3.3. The count took place on Thursday 27<sup>th</sup> January 2022 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the plan area. The results of the referendum were;

<b>Response</b>	<b>Votes</b>	<b>% of votes cast</b>
<b>Yes</b>	1183	81.08
<b>No</b>	264	18.09
<b>Rejected</b>	12	0.82
<b>Turnout –</b>	1459	14.76
<b>Electorate total</b>	9886	

3.4. Telford & Wrekin Council has assessed that the Plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any Convention rights (within the meaning of the Human Rights Act 1998).

3.5. The Donnington & Muxton Parish Neighbourhood Plan has now been made and planning applications in the area to which the Plan relates i.e. the administrative area of the Parish of Donnington & Muxton, must be considered against the Donnington & Muxton Parish Neighbourhood Development Plan, as well as existing planning policy, such as the Telford & Wrekin Local Plan and the National Planning Policy Framework and Guidance.

**This statement is dated 28<sup>th</sup> January 2022.**