What's the plan?

Neighbourhood Planning Conference - 20th January 2017
Changes to Planning System

• NPPF
• Housing building targets and localisation
• Duty to Co-operate
• Assessment of need
• Neighbourhood Planning
  • Shared responsibility
  • Force of law – same as local plan
  • Suite of documents – other material considerations
  • Planning policy
• Changes to 5 year land supply
We are where we are

Some of the issues we have encountered:

• Application of NDPs in determining planning applications
• Lack of 5 year housing land supply

How we can overcome these issues:

• Understanding the weight of neighbourhood plans as they evolve through the process
• Producing more effective neighbourhood plans

Cllr John Cotton
Leader - South Oxfordshire District Council
Understanding the weight of neighbourhood plans as they evolve through the process

Ricardo Rios & Rachael Riach
Where we are

- 30 designated neighbourhood areas
- 21 groups gathering evidence and writing policies
- 4 groups reached pre-submission consultation
- 4 plans made
Formula for calculating the weight of emerging policies:

From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the **stage of preparation** of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are **unresolved objections** to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the **degree of consistency of the relevant policies in the emerging plan to the policies in this Framework** (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
Pre-submission consultation

Submission of NDP to the Council

Consultation

Examination

Council decision

Referendum

Plan Made

Paragraph 216 from NPPF
After the post-submission consultation

**What we don’t know**

- Consistency - whether, having regard to national and local policy, it would be appropriate to adopt the NDP.
- Whether remaining and/or new objections to policies have been resolved.

**What we know**

- There is a full draft plan, supporting information and evidence base.
- Which policies objectors feel have not been resolved by the Parish/Town Council in a satisfactory manner.
Pre-submission consultation

Referendum

Consultation

Formal submission

Council decision

Examination

Plan Made

Work in progress

Neighbourhood Planning Bill

Paragraph 216 from NPPF
What happens after you reach the top of the ladder and the NDP is made?

Some of the issues we have encountered:

• Application of NDP in determining planning applications
• Lack of 5 year housing land supply
Five year housing land supply.

What is it?

• Requirement to identify and maintain a rolling five year supply of deliverable land for housing.

How does it affect NDPs

• In the absence of a demonstrable 5 year land supply, “relevant policies for the supply of housing should not be considered up-to-date”, including those in made neighbourhood plans.
Is it all lost?

• Definitely Not! – most policies within an NDP remain up-to-date.

• These remaining policies can strongly influence planning decisions by helping decision makers (SODC/Appeal inspectors) make an informed judgement about whether the granting of planning permission would lead to significant and demonstrable adverse impacts that outweigh the benefits of the development.

This will be explored further in the “lessons learnt” section.
Moves to strengthen made NDPs

• National Planning Practice Guidance: “where a planning application conflicts with a made neighbourhood plan, planning permission should not normally be granted”.

• 12th Dec 2016 Written Ministerial Statement: where communities plan for housing in their area, making housing allocations, those plans should not be deemed to be out-of-date unless there is a significant lack of land supply for housing (less than 3 years) in the wider local authority area.
You are part of the solution!

• Both the emerging Local Plan and neighbourhood plans are key to addressing our current housing supply position and the distribution of development.

• South Oxfordshire District Council is committed to strongly resist applications which do not respect our distribution strategy across the district, accord with well advanced or ‘made’ Neighbourhood Plans, or don’t represent sustainable development.

• Your NDPs have a vital role in helping decision makers make informed judgements on significant and demonstrable adverse impacts against the benefits of development.
Lessons learnt
&
how to produce more effective neighbourhood plans
Five lessons to making an effective plan:
1. Work closely with SODC

Duty to guide and assist
- Meeting basic conditions
- What has worked elsewhere

Financial support
- SODC grant
- Locality grant (up to £9,000), available on top of SODC grant.
- Other alternatives – lottery funding, etc.
2. An effective plan supports, defines and informs what is appropriate development.
3. A holistic approach is important if the plan is to be strong.
4. Evidence is key to making robust policy that points to appropriate development.
Evidence documents and the types of policies they support and decisions they influence:

- **Character assessment** – Design, density, appropriateness of various locations for development.
- **Landscape character assessments** – Design, where development is most appropriate. Where and whether to make a Local Green Space Designation.
- **Landscape capacity studies** – How much development and where?
- **Housing needs assessment** – Type of housing which may be needed.
- **Transport study** – Locations for development, scale and amount of development, infrastructure requirements.
- **Infrastructure study** - scale and amount of development, what infrastructure might be required.
5. Have a clear vision – it brings clarity and builds consensus
Conclusion
We want to support you to make effective neighbourhood plans so that you have more of a say on development in your area.

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Update on developments in Parliament
Local Plan Expert Group

• Who we are
• What we did
• Recommendations to be taken forward in two ways
  • Housing White paper
  • Neighbourhood Plan Bill
Recommendations

• simplify and shorten the process of plan making,

• help ensure that housing and other needs are met

• give communities more control over development in their local areas.
Highlights

• Provide guidance on an agreed approach to producing Strategic Housing Market Assessments (SHMAs)

• A single, clear and simplified approach to calculating housing needs

• A standard calculation of 5 year supply, monitored annually and signed off, instead of being repeatedly challenged at planning appeals

• Less focus on complex housing debates and a reconnection with community issues such as places, the natural environment and infrastructure

• A greater role for Neighbourhood Plans, with Local Plans dealing only with strategic issues
Details

• Statutory duty on local authorities to produce local plans
• Limited changes to NPPF
• Shorter approach
• Local plans concentrate on strategic issues leaving clear role for Neighbourhood Plans
• Standard approach to 5 year land supply
• Annual monitoring approach
Neighbourhood Planning Bill

• Strengthens the NP process
  • No hold up at end
  • No hold up at beginning

• Proportionate process for modifying

• More transparent process of support for NPs
Questions and answers