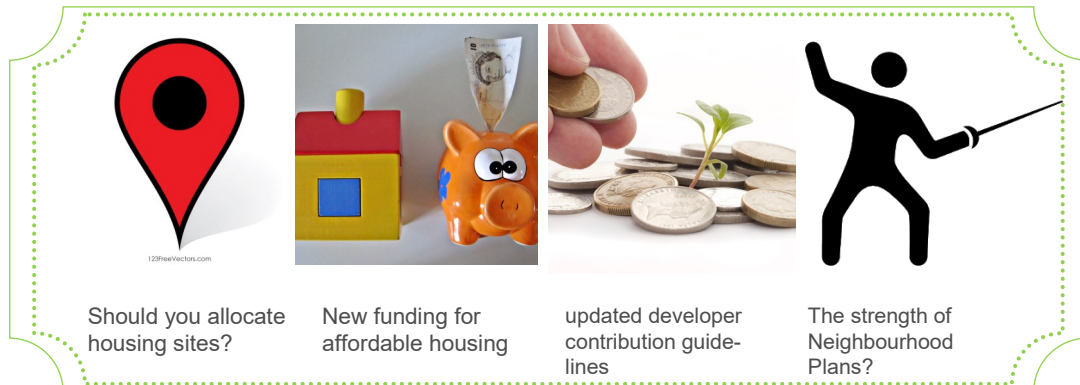


NEIGHBOURHOOD PLAN NEWS

A newsletter brought to you by (Plan-ET)

18.11.2019

Top stories in this newsletter



To Allocate or Not to Allocate



The revised National Planning Policy Framework (NPPF) (July 2019) and recent changes to planning practice guidance place greater emphasis on the role of neighbourhood plans in meeting the community's 'needs'. During the consultation phase for these updates, the government made it clear

that the reforms should lead to more housing being built. The updated wording of the NPPF makes it clear that the 'presumption in favour of sustainable development' overrides many other factors. This includes the switch from the wording 'Local Planning Authorities' to 'Plan-makers' being required to 'positively seek opportunities to meet the development needs of their area' and 'strategic plans' rather than 'local plans' should 'provide for OAN's (Objectively Assessed housing Need). The revised NPPF (para 65) also included the requirement for authorities to 'establish a housing requirement figure for their whole area' and 'within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas.'. Finally, the revised NPPF also reverts to the 'presumption in favour of sustainable development' when a planning authority cannot demonstrate a five year supply of deliverable housing sites of where the housing delivery test indicates that the deliver of housing was substantially below the housing requirements over the previous three years.

In addition to these NPPF amendments, the government have changed the Neighbourhood Plan grants available and now increase substantially if housing allocations are made within a neighbourhood plan.

Although, at the current time, the decision to allocate sites for housing lies with the Neighbourhood Plan decision makers, all factors indicate that it may be a prudent decision to include housing allocations in a neighbourhood plan, unless adverse impacts of doing so would significantly outweigh the benefits.

The government funded *British Social Attitudes Survey 2018* found some groups, such as owners, older people, and those living in rural areas, are more likely to oppose homes being built in the local area than others.

Opposition for more homes being built in the local area was higher for owner occupiers (28%) than for private renters (15%) and social renters (13%).

Opposition to homes being built was higher for those aged 46-55 (27%), 56-65 (22%) and 66 and over (26%), than for those aged 18-25 (14%).

Those living in country villages and small cities or towns were more likely to oppose more homes being built in the local area (28% and 24% respectively), than those living in big cities (18%).

By December 2019 the number of Neighbourhood Plan successfully
'Made' will be nearing **900!**

Funding released for affordable local housing



In May this year, Kit Malthouse (the then minister for housing) announced that communities across the country are to benefit from £8.5 million of additional funding to provide more homes for local people to buy at prices they can afford.

Funding packages of up to £10,000 will be made available to neighbourhood planning groups to support them in identifying suitable sites for affordable homes and even to grant permission through a neighbourhood development order. This is in addition to the


basic grant funding (up to £9,000 available to all groups undertaking a neighbourhood plan) and the additional grant funding (up to £8,000 available to groups who are allocating sites for house or including a design guide in their plan or creating a business neighbourhood plan or are a cluster of 3 or more parishes writing a single plan or are a neighbourhood area with a population of over 25,000). By September, 19 grants had been approved and 32 qualified bodies had received Technical Support from the new incentive.


Neighbourhood Plan Challenges


In June this year, the number of plans which had passed referendum and been Made went over 800. This is a fantastic number and shows how the strength of neighbourhood plans is growing. The revised NPPF puts more emphasis on the scope and opportunity of neighbourhood plans and plans that are being challenged are overall, standing up to scrutiny.





 Plans for 120 homes in Benson have been thrown out after a planning inspector was overridden by the Secretary of State for Housing Communities and Local Government. The plan names three suitable sites for 560 new homes, but does not include this site. It was said that "Given that the Benson neighbourhood plan now forms part of the development plan...the Secretary of State affords this conflict very significant weight." **July 2018**

 Contentious housing plans in Hartest for six single-storey two and three-bedroom houses have been thrown out by the High Court for the second time. In his ruling, the judge said "...The application was clearly controversial, with eight objections and five supporting submissions received from a village of fewer than 500 inhabitants...It was opposed by the parish council, and was reported to be contrary to the emerging Hartest neighbourhood plan,". **August 2019**

 A property development company persuaded the High Court to grant an interim injunction blocking a council from holding a referendum on the draft Norton St Philip Neighbourhood Plan. The applicant expressed the view that the designation of Local Green Space did not meet the basic conditions and therefore the plan could not lawfully proceed to a referendum. **October 2019**

 In East Leake the inspector granted permission on appeal to build 195 homes citing that the supply criteria of three years could not be applied because the neighbourhood plan did not allocate specific housing sites. He declared the development plan (including the neighbourhood plan) to be 'out of date' due to the lack of the requisite housing land supply. **July 2018**

 Although the Backwell Neighbourhood Plan, did not state a 'specific quantum' of homes to be built or define the number of housing units on each site, it did identify sites where 'development will be supported'. Despite a lack of specificity in a neighbourhood plan and the lack of a five year housing land supply on the part of North Somerset council, Savid Javid refused permission for 220 homes on a site NOT identified in the NP, because of conflict with the neighbourhood plan. **March 2018**

 On the 7th October 2019, a referendum for the Plan-ET supported Hartley Wintney Neighbourhood Plan (HWNP) was held. It passed with 91.6% of the community voting in favour of the plan. On the 4th November, the secretary of state dismissed an appeal for a development of up to 700 dwellings for a site partially within the Hartley Witney parish area. The Secretary of State examined a number of issues in coming to his decision. The report stated that "The Secretary of State considers that the proposed development of land which is not allocated for this purpose in the HWNP carries significant weight against the scheme." Plan-ET are very proud to have played a part in the development of this plan and would like to congratulate the tireless efforts of Chris Farrance and his steering group in the accomplishment of their work. **November 2019**

Changes to CIL contribution

There has been a lift on 'pooling restrictions' for developer contributions. CIL contributions are based on a schedule agreed by the local authority and sets a charge on new developments in order to raise funds to help fund the infrastructure, facilities and services. S106 agreements is charged based on the specific needs of the local community, outlined in a document created by the local authority. The lift of these restrictions mean that any development granted planning permission on or after 1st September 2019 may be subject to a S106 agreement contributing to infrastructure that has already benefitted from contributions from five or more planning obligations. This will mean the end of councils having to find 'clever ways' of developments contributing to a piece of infrastructure, such as development contributing towards a specific classroom of a school. The intended effect of this is to allow CIL and planning obligations to fund the same piece of infrastructure and accordingly remove what can be a barrier to development.

Local councils will also now be expected to provide 'Infrastructure Funding Statements' (IFSs), which will provide an audit trail of contributions received via S106 agreements and Community Infrastructure Levy (CIL) agreements. The receiving authority will be expected to show how the contributions were received and how they were spent. Although there will be no penalty for not producing an IFS, the government says it will consider further changes to legislation if IFSs are not produced.