The Role of Neighbourhood Planning

Background

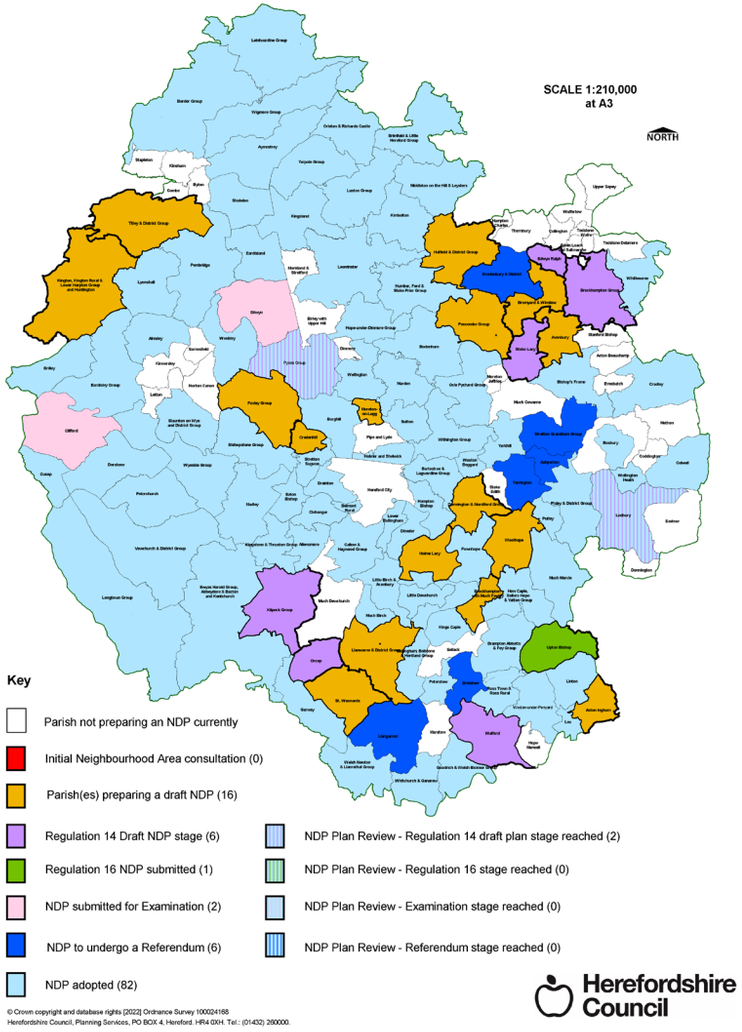
The Localism Act 2011 introduced the opportunity for plan making by parish and town councils by producing their own Neighbourhood Development Plans, Neighbourhood Development Orders and the Community Right to Build. In 2012, Herefordshire Council took a positive approach to neighbourhood planning and provided support and advice to any community interested in producing plans to complement the Core Strategy 2011- 2031. As a result Neighbourhood Development Plans were included within the Local Development Scheme from 2014 and have now become an established part of the package of local policies over the past 10 years.

National guidance outlines that Neighbourhood Development Plans (NDP) must be in general conformity with the strategic policies contained within the adopted development plans; in Herefordshire case the Core Strategy as outlined in para 1.14 of the document. They should not duplicate or repeat local or national policies but include additional local distinctive policies and proposals to support the delivery of strategic policies.

After 10 years in practice, it is now appropriate to review the role of Neighbourhood Development Plans in Herefordshire and how they could align with the emerging Local Plan 2021-2041.

The first Neighbourhood Development Plan to be made/adopted in Herefordshire was in May 2016. To date, there are 113 designated neighbourhood areas within the county, resulting in 92% of the settlements highlighted within the Core Strategy for proportionate growth being within a neighbourhood area. 82 plans have been made/adopted with a further 18 in production. 13 plans are yet to reach draft stage. In addition, nine plans have or are currently undertaking their first formal review. This means that 88% of all Herefordshire town and parish councils have been engaged in producing local level planning policies during the last plan period.

Neighbourhood Development Plans (NDP) in Herefordshire



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Herefordshire was one of 14 Local Planning Authorities who took part in the Department of Levelling Up, Housing and Community and Office of Place's Phase 1 National Model Design Code Testing Programme. This was to test aspects of the National Model Design Code and Guide locally between March-September 2021. Four parish councils (Bartestree with Lugwardine, Ewyas Harold, Fownhope and Weobley) assisted in devising and testing a number of guidance notes and templates which could enable local communities to produce a locally distinctive design code either as part of the Neighbourhood Development Plan or standalone supplementary planning document.

The following sets out how neighbourhood planning is addressed through the County Plan and the Local Plan's new vision and objectives.

Herefordshire County Plan

The provision of Neighbourhood Development Plans has been supported by Herefordshire Council since 2012 and currently corporately continues to do so. The County Plan 2020-2024 indicates that we will utilise '*communities own Neighbourhood Development Plans*' to make sure we deliver sustainable developments which meets the needs of local people while respecting our heritage and our natural environment. This is therefore showing continuing commitment to neighbourhood planning.

Local Plan Draft Vision

The draft Local Plan 2021-2041 draft vision sees 'e*xceptional quality of life, living and traveling in more sustainable ways where rural communities and market towns have resilient communities with good quality housing*'. Distinctive local policies contained within individual Neighbourhood Development Plans will assist to achieve these aims tailored to the local landscape and cultural heritage of the place.

Local Plan Draft Objectives

The provision of locally based policies will also assist in enabling the 27 objectives outlined under Environment, Community and Economic underpinning the Local Plan strategy and policies.

National Guidance

Neighbourhood Development Plans are not a legal requirement but local communities have the right to choose to produce one. National Planning Policy Guidance (NPPG) indicated that Neighbourhood Development Plans should:

- Support the delivery of the strategic policies of the local plan.
- Shape and direct development.
- Support the provision of affordable housing.

However the specific areas and policies topics to be covered is left to the discretion of the Local Planning Authority and their communities. These should be 'non-strategic policies' of which national policy guidance indicates are:

- Allocating sites.
- Provision of community facilities and infrastructure.
- Design principles.
- Conserving and enhancing natural and historic environments and;
- Other development management policies.

National policy highlights that Local Planning Authorities should provide specific housing requirements to neighbourhood area. Proportional growth figures have been provided to parish councils undertaking a Neighbourhood Development Plan since 2015. The proportional growth figures and the monitoring of progress is reported annually within the Authority Monitoring Reports.

As part of the review of Local Plan options, the range and scope of Neighbourhood Development Plans can be determined at a local rather than national scale. Reviewing their application during the last plan period and their relationship with the Core Strategy will point toward whether there is a different approach to be adopted.

Core Strategy and current Neighbourhood Development Plan approach

The Core Strategy does not contain a specific policy regarding Neighbourhood Development Plans and their role however they are mentioned in a number of policies and reasoned justification text. Para 1.13 to 1.15 of the Core Strategy outlines the role that Neighbourhood Development Plans will play in policy planning. This highlights that the allocation of housing, employment and other uses as well as locally detailed policies can be included within any locally produced plan.

The 'Place Shaping' section of the Core Strategy also devolved specific elements to Neighbourhood Development Plans including the delineation of settlement boundaries, site allocations, Local Green Space designations and some specific elements within the market towns.

Within the rural areas, this includes decisions on how proportional growth for housing is distributed. Para 4.8.21 indicated that local communities could be flexible to apportion their parish housing requirements between the settlements named within the Core Strategy in their area.

Of the current made/adopted Neighbourhood Development Plans within the county:

- 95% include a settlement boundary;
- 60% include a Local Green Space;
- 65% include site allocations;
- 100% include local distinctive general policies.

Parishes responding to the questionnaire (February 2022) indicated that they considered the scope of Neighbourhood Development Plans to be right. Additional areas highlighted for possible inclusion were specific design criteria, local building styles, local ecological and environmental policies.

There were no responses suggesting that the scope of Neighbourhood Development Plans was too wide however some parishes have raised concerns about the technical work and associated tensions of allocating sites with the local community.

The responses highlighted that there are greater concerns about the level of weight being applied to plans in decision making and the effect that the 5 year land supply figure can have on material weight than the overall scope and content of plans.

Producing the Local Plan 2021-2041 gives the opportunity for the relationship between policies within the two documents to be reviewed.

Neighbourhood Planning Policy Options

Option NP1- Continue with the current approach – settlement boundaries, site allocations, Local Green Spaces, locally distinctive policies including design coding

As outline above, the current level of local distinctive policy making at parish or community level has been relatively successful. There are a significant number of Neighbourhood Development Plans in Herefordshire and these can form the basis for a review against the emerging Local Plan strategic policies. Additional support could be given to areas which have seen the most controversial or technically challenging over the past plan period.

This option reflects the spirit of the Localism Act and the National Planning Policy Framework as providing a mechanism of local communities to shape their local environment and be involved in creating planning policies for their local area.

The recent Planning for the Future White Paper indicated within Proposal 9 that '*Neighbourhood Development Plans should be retained as an important means of community input*'.

Research undertaken by the University of Reading in September 2019, showed that NDPs across England have contributed to the housing supply significantly, helped to improve design and refined local priorities. It also reports that NDPs have improved the involvement of local community in strategic plan making and the relationship with the Local Authority policy making teams.

In Herefordshire, Neighbourhood Development Plans have been used to determine planning applications, appeals and inform the review of the Local Plan.

Option NP2- Locally distinctive policies and design coding, with settlement boundaries and site allocations within the Local Plan

It has been raised by town and parishes that the one area which has proved to be locally contentious and requires the most technical support has been site search and allocations.

This option would revert the site allocations and settlement boundary delineation back to the Local Planning Authority. This would mean that Neighbourhood Development Plans would be developing local distinctive criteria based policies.

However, the underlying principle of neighbourhood planning are that communities are able to shape the places they live, housing growth is one of the major contributor to evolving landscapes, settlements and peoples sense of place. To remove the ability of communities to determine the locations of this growth would directly effect this underlying principle.

This option would affect the material weight of Neighbourhood Development Plans should the Local Authority not be able to demonstrate a five year housing land supply or that it had not passed the housing delivery test. Para 14 of the National Planning Policy Framework requires plan to be able to meet two specific tests; one is being adopted within the last two years, the other is that the plan contains policies and allocations to meet its identified housing requirement. If future Neighbourhood Development Plans did not contain site allocations they would not be able to meet these tests.

Option NP3- Design codes only with all other policies within the Local Plan

National Model Design Code and the National Model Design Guide published in July 2021 are part of the government's wider strategy to create beautiful places, improve energy efficiency, enhanced nature and move towards zero carbon targets by 2050. The National Planning Policy Framework is clear that design policies should be developed with local communities and reflect local aspirations. Therefore, there is an option for investment in design codes for parishes during this plan period rather than Neighbourhood Development Plans.

Town and Parish Councils could prepare design codes for their local area rather than a Neighbourhood Development Plan. The content of these code would be varied and reflect local circumstances. Further details can be seen within the 'Design Options' later in this paper.

This would mean that all other aspects of local policies including the site allocations, settlement boundary delineation would be included within the Local Plan 2021 – 2041. Given the successes of local produced Neighbourhood Development Plans over the last 10 years this may be seen as a backward step of returning previously delegated local policy making to the Local Planning Authority.