

## Report to the Parish Council Meeting 5th June 2019

### Neighbourhood Plan Revision to Introduction

Further to the last PC meeting on 23rd May when the revised NP was presented for ratification the Steering group were tasked to revise the NP introduction further to accommodate the changes in circumstance with the adoption by CDC of the SADPD site at Land North of Little Springfield Farm and Policy H1 allocating a site through the NP.

Attached is revised wording to the introduction discussed and presented by the Steering Group for the PC to consider and agree.

In considering the revised introduction the Councillors should take into consideration the following:-

- 1) The Steering group endorsed by the PC has undertaken considerable evidence gathering relating to sites in the Parish and this forms a public record of the assessments. Therefore any decision making must be founded on that evidence. To make decisions which are not evidence led is to open the process to legal challenge.
- 2) The CDC site can not be referred to as 'preferred' by the PC as there is no evidence to support that view in fact the evidence is to the contrary both from a Parish wide questionnaire and through the actions and decisions of the PC since 2015. All the PC can do is acknowledge the site allocation by CDC which now forms part of the Local Plan and meets the housing allocation for the Parish.
- 3) The CDC site allocation is outside the NP, the form of development will be governed by the Local Plan policies, unless there is a NP in place. With the NP in place all development sites in the Parish will be managed by the Policies in the Plan and in particular by Policy H4. Planning policy must be positive and can not be overly prescriptive unless there is some overriding need.
- 4) During the evidence gathering process a number of potential sites have been identified and in particular H1 was determined as viable for development to meet the Parish housing need of smaller units and housing suitable for the elderly and further endorsed through the Health Check inspection. Accordingly the site could come forward for development. The site has been identified as sensitive for the historic environment and setting, therefore to ensure any development is sympathetically managed specific Policy measures are needed through the NP.
- 5) There is no extensive or conclusive evidence to support no further site allocations over the Plan period. Therefore the Parish Council has no grounds on which to remove Policy H1. Over delivery of housing may not be wanted but would not result in an adverse impact or be detrimental to the Parish. Therefore to withdraw H1 only on the basis of oversupply runs the risk of legal challenge. The legal challenge would be made against CDC if they have accepted the Plan at Reg 15/16 and moved forward with the Plan making. The Parish Council would be party to the representation in a legal challenge as it produced the Plan and undertook the evidence gathering and Clerk time and Councillor time would be required to assist CDC in their representation. But if CDC consider the Plan as presented to them could result in a legal challenge they would be unlikely to accept the Plan at Reg. 15 and would send it back to us for revision.

6) Should the Parish Council decide to remove a Policy or revise it significantly it will be necessary to take the Plan back to Reg 14 and 6 week public consultation, resulting in further considerable delay of probably 11-12 months in moving the Plan back to Reg 15 /16. ( previously Reg 14 was conducted at the beginning of September 2017 and the Plan was submitted to CDC at Reg 15 at the end of August 2018)

The Parish Council is accordingly asked to endorse the changes to the Introduction the Plan will then be finalised with the supporting documents and brought back for ratification on 25th June.

**NP Steering Group**