

## **Llangarron Parish and the Neighbourhood Development Plan**

Some of the Llangarron Parish Community will be aware of the phrase Neighbourhood Development Plan (NDP). The Parish Council now wishes to communicate with everyone in the Parish and explain more fully what the NDP is all about and why it is important to us as a community.

We have listened to the community at various meetings and we agree that our communication has not been good enough and that there are many points that have prompted rumour and speculation. As from today we hope we can explain with greater clarity the planning process. All future meetings will be open to the public and we hope your contribution will help shape the plan.

### **The Planning Process**

Planning in the UK is governed and regulated in three main ways. Sitting at the top is the National Planning Policy Framework (NPPF). This was set by the Government in 2012 and provides a set of national planning policies. These have to be taken into consideration when Councils set their own Planning Policies.

The next level of policy is set by the Herefordshire County Council and these policies are called the “Core Strategy” or Local Plan. Whilst these are set by our Council to meet the demands of life in Herefordshire they must be consistent with the NPPF. The Local Plan must be on a robust evidence base that is regularly reviewed to inform decision and plan making. For housing this has to meet objectively assessed needs for market and affordable housing. It has also to identify a five year supply of specific deliverable housing sites.

The final tier once adopted is the Neighbourhood Development Plan that all Parish Councils have been invited to prepare. The Parish NDP must be consistent with both the NPPF and the Core Strategy, but take these policies and relate them to our Parish and the needs of our community. Once a NDP passes all the reviews and assessments and is approved in a Parish referendum by our community its status is classed as “Adopted”. Having achieved the Adopted status, the NDP should then carry as much weight as the Core Strategy when Planners consider any new development applications.

If no NDP exists, planning decisions will only be made by reference to the NPPF and The Core Strategy. i.e. areas of local importance/significance are not addressed in these strategic level documents. However local level land use issues can be developed in the NDP.

In the Department for Communities and Local Government Plain English guide to the planning system 2014 it states that the NPPF does a number of important things –  
“It makes clear that Local and Neighbourhood Development Plans are central to the operation of the planning system, and emphasises the legal requirement that applications for planning permission must be decided in

accordance with these plans unless there are other important factors (material considerations) which indicate otherwise”.

For this reason, the Parish Council believes it is essential to develop a NDP as quickly as we can.

### **Why does neighbourhood planning matter?**

The planning system helps decide what gets built, where and when. It is essential for supporting economic growth, improving people’s quality of life, and protecting the natural environment.

In theory, planning was always supposed to give local communities a say in decisions that affect them. But in practice, communities have often found it hard to have a meaningful say. The government wants to put power back in the hands of local residents, employees and business, councils and civic leaders - those who know best the needs of their local areas.

Neighbourhood planning is optional, not compulsory. No one has to do it, if they don’t want to. But we think that lots of people will want to take the opportunity to influence the future of the place where they live or work.

A neighbourhood plan must follow ground rules –

- they must generally be in line with local and national planning policies
- they must be in line with other laws
- if the local planning authority says that an area needs to grow, then communities cannot use neighbourhood planning to block the building of new homes and businesses; they can, however, use neighbourhood planning to influence the type, design, location and mix of new development
- neighbourhood plans must contribute to achieving sustainable development.

A significant part of a NDP is not only giving influence over planning decisions to local communities but it is shaping how a community meets the Government targets for new housing numbers. Llangarron Parish has been set a new development target by number of houses within the term of the NDP. We will explain this point more fully in future weeks as work starts on the next phase of our plan.

### **Our NDP reached Regulation 14**

Llangarron Parish Council whilst retaining control, delegated the work of establishing an NDP to a Steering Group who did much good work in producing the First Draft which the community was invited to comment on in March 2017 (This stage is called Regulation 14). Unfortunately less than fifty responses were received back from the community and it is now clear that much of the community, despite the best efforts of all involved, were unaware of the plan and its importance to the community.

In May 2017 at a public meeting, it was very apparent that there was a strong feeling amongst those members of the public present that the existing plan was not meeting their expectations.

It was also clear that there was confusion on what a NDP could deliver and for example roads and road maintenance are a completely separate item and the responsibility of Herefordshire Council and not within the remit of a Parish NDP. The poor quality of the road could not stop developers applying for planning permission on sites within Llangrove.

From the Public meeting in May and the full analysis of the March consultation feedback from the community, Herefordshire Council and agents on behalf of land owners, it was clear there were some structural changes needed. In addition, the NDP guidelines changed due to legal challenges of NDPs that were further advanced or Adopted.

Early in 2018, some members of the Parish Council felt out of touch with the NDP, plus the Steering Group could not take decisions as the NDP ownership was with the Parish Council. After much deliberation it was decided the best way forward was for the Parish Council to take on fully, the role and responsibility of delivering the NDP. It was decided to have only one body working on the plan so the Steering group was disbanded. It was also confirmed that all meetings would be open to the public and involvement encouraged.

A new group of monthly meetings would be set so as not to muddle with regular Parish Council work. In addition to these meetings we also hope to run specific clinics and consultation events, to ensure the community has full access to the NDP as it is formulated and the opportunity to feed back any comments.

It must be remembered that planning and new housing is often controversial. However, we have a responsibility to consider the housing needs of future generations and the well-being of the whole community. The NDP will not please every individual but we hope that the entire community will be able to see that we are fair and open in all our work going forward.

Everyone has the right to apply for planning permission on any piece of land regardless of location or ownership. They may be a land owner or a developer or someone with a large garden. Herefordshire planning then has the task of assessing the application against the NPPF, the Core Strategy and if it exists against the NDP. They have to be seen to be fair and reasonable in their decision and apply all the planning criteria correctly. Any decision can ultimately be appealed to The Secretary of State for a legal review. Developers often have the resource to fund appeals due to the profits they make on a successful development. At an appeal it is hard evidence against Planning regulation that is considered.

If a local authority does not have a 5-year housing supply to meet their housing requirements, developers may see this as an opportunity. Without a

Neighbourhood Development Plan identifying where preferred housing sites should go and where the identified settlement is, there is a lot less certainty on where the settlement begins and ends. Therefore, what is considered a settlement and what is considered to be open countryside is disputable by developers without a definitive boundary. This provides developers with an opportunity to develop in or adjacent to whatever is considered to be the settlement. It is only when an NDP is Adopted that a Parish council can truly influence development in their Parish.

## **Settlement Boundary**

One aspect of an NDP involves identifying a village or settlement boundary. Settlement boundaries are a well utilised planning tool for guiding, controlling and identifying limits to development for an individual village. This is achieved by looking at historical boundaries if they exist plus the general layout of existing housing and how this may have developed historically.

In general, there is a presumption in favour of development within the settlement boundary. Any land and buildings outside of the boundary line are usually considered to be open countryside where development would be regulated with stricter planning policies. However, it should be noted that any land which has been included within the boundary line does not have a guarantee of approval of planning permission, as there will be other planning policies which will need to be adhered to, for example; the protection of the character of a settlement, access and environmental considerations such as flooding/impact on environmental designation.

When constructing an NDP the parish council also invites land owners to put forward plots for house building. The PC has a responsibility to evaluate each submitted plot against a set of published criteria to rank each one for possible inclusion within a housing plan. It is important that all sites are considered impartially and with fairness. This process is often difficult as personal interest can shade opinions but the PC must disregard these points and be completely objective in its evaluation. Decisions have to be taken so that the whole community benefits long term. It is only by being open and fair that the PC can ensure integrity in all its actions.

For village communities to survive and grow, new housing is essential. It helps sustain schools, shops and pubs plus community assets like Village Halls. We also have a responsibility to ensure future generations have the same opportunities for housing that many of us have enjoyed.

Since the last Draft NDP was written, more development sites have come forward. In addition, response to the Draft Plan has indicated that the Parish should also consider Three Ashes, Llangarron and Llancloudy as potential sites for housing. One of the public criticisms about the draft was that most of the proposed new housing appeared to be funnelled towards Llangrove. The PC has understood this point and along with feedback from Herefordshire

Council and all those who responded to the consultation we will now consider all the points raised about housing distribution within the parish..

Although an NDP is essentially a planning document, it can also address areas of well-being for the community and protect views, wildlife habitat, biodiversity and ensure sustainability is at the heart of all development. Other aspirations for future improvement of the parish will also be included in the NDP.

## **Our Strategy**

Our Parish has a much greater influence on planning matters if we have an Adopted NDP. To this end and with our community's support we wish to move towards this as quickly as possible. It was very clear at our recent LPC NDP meeting that this is the route those at the meeting wanted the LPC to follow with speed.

To do so we have to have Professional Planning Advisors (PPA) and the Government provides grants to facilitate this for all parish councils. We will now act quickly to appoint these advisors.

The community has expressed considerable fears about village boundaries. The LPC acknowledges these concerns and can reconfirm, as stated at the meeting, that no village boundaries have been approved by the LPC. This task will be managed by our PPA starting with Regulation 14 NDP document as the base. As stated in the recent meeting it is the original village boundaries in the Regulation 14 NDP that will be the starting point not any others that have been in circulation and which had been drafted as work in progress by the NDP Steering Group, not by the Parish Council.

The PPA will review the feedback from all sources from the Regulation 14 consultation and all potential building sites submitted. One of their first tasks will be to ensure that all the correct processes are followed taking us to regulation 16 in the shortest possible time. It is a requirement that a NDP should have a set of published criteria against which all submitted building sites must be assessed openly and fairly.

It is only after this work has been completed, that it will be known if there is a requirement for any change to the village boundaries to meet NDP criteria. The LPC can confirm it is only if changes are necessary to meet the demands of our community, Herefordshire Council or the Independent Assessor that changes will take place.

As time has progressed there is more information available about the content of NDPs. It is in all of our interests to review best practice and take on board anything that can ensure the quickest and smoothest path to Adoption of our NDP. At Regulation 16 the NDP must pass scrutiny and review by Herefordshire Council and then by the appointed independent assessor. Having been approved by these bodies our community will have the final say

when the completed plan comes before the Parish at a referendum on which we can all vote.

All of the NDP process will be conducted in public at LPC meetings and during consultations with the community. It is hoped that members of the parish will attend these meetings to ensure their views are known.

The planning process by its very nature is controversial and it will be impossible to meet the demands of every individual. As a community we will have to judge where compromise can be found and achieved.