

Challenges for Neighbourhood Plans: External pressures

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Existing research

<https://research.reading.ac.uk/neighbourhoodplanning/>



Context

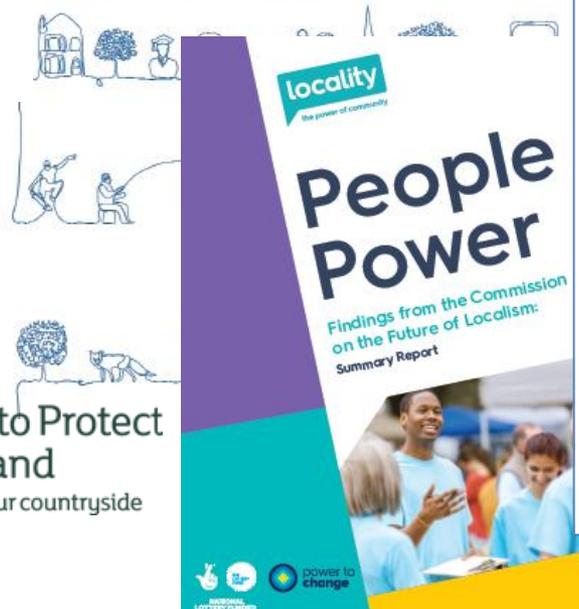


nalc
National Association
of Local Councils

Planning 2020

Raynsford Review of Planning in England

Final Report



Campaign to Protect
Rural England
Standing up for your countryside

Neighbourhood Planning HIVE report: experiences of participants



June 2018

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Implementing neighbourhood plans

- 1) How effective are neighbourhood plans in influencing planning decisions?
- 2) What are the likely impacts on that effectiveness of recent and proposed changes to the wider planning policy context?

<https://www.nalc.gov.uk/library/publications/2755-where-next-for-neighbourhood-planning-2018/file>



“Direct power”?

*“Where a planning application conflicts with an **up-to-date** development plan (including any neighbourhood plans that form part of that development plan) permission should not normally be granted”. (NPPF July 2018, paragraph 12).*

VS

*“granting permission unless ... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”
(NPPF July 2018, paragraph 11).*

Only 44% of LPAs have an up-to-date local plan

(NAO 2019 <https://www.nao.org.uk/wp-content/uploads/2019/02/Planning-for-new-homes.pdf>)

Early support: policy

"It is important that communities have confidence in positively prepared neighbourhood plans. The government's view is that neighbourhood plans, once made (and so part of the development plan), should be upheld as an effective means to shape and direct development in the neighbourhood planning area in question ... Therefore the government's view is that the adverse impact of allowing development that conflicts with key policies in a neighbourhood plan is likely to be substantial. This should be taken into account by decision-makers, even where the local planning authority cannot demonstrate a five-year supply of housing land."

(DCLG's Technical Consultation on Planning (July 2014))

Early support: decisions

“The Secretary of State ... considers that neighbourhood plans, once made part of the development plan, should be upheld as an effective means to shape and direct development in the neighbourhood planning area in question ... Consequently ... the Secretary of State places very substantial negative weight on the conflict between the appeal proposal and the Neighbourhood Plan.”
(Broughton Astley: para 19).

“[the application is in] clear conflict with the terms and intentions of the emerging Neighbourhood Plan, which would be undermined in terms of the spatial pattern of development hoped for by the community ... The Secretary of State takes the view that it is appropriate to give significant weight to the conflict with the emerging Neighbourhood Plan” (Earls Barton: para 12).

“the desirability of entrusting decisions to community-led planning and encouraging neighbourhood plans” (Devizes: para 13)

Turning tide – May 2015

- General election
- New Secretary of State
- Woodcock vs SSCLG & Mid-Sussex District Council
 - Sayers Common
 - (Devizes)
 - (Rolleston on Dove)

Altered priorities

- Pickles (May 2010 – May 2015) approved 19% of housing appeals in Neighbourhood Plan Areas – 316 homes
- Clark (May 2015 – July 2016) approved 80% - 2,530

“this does not remove Sandbach from its part in providing for more dwellings in the light of the current severe shortage in housing land supply for the Council’s area as a whole” (Sandbach: para 16)

“[while he appreciates] the frustration which the Brereton community will feel if this appeal is allowed, the Secretary of State agrees that, in the context of the significant national housing shortage, if the Local Plan were delivering what national policy requires, the planning balance would have been different” (Brereton: para 10)

Supportive measures

- Written Ministerial Statement December 2016
 - Three year supply if housing sites are allocated
- Neighbourhood Planning Act April 2017
 - Full weight for plans after referendum
 - Some weight for plans after Examination

Conformity with up-to-date plans

- Examined against an out-of-date local plan
 - Sandbach: *“local residents wish to see that their neighbourhood plan, as part of the development plan, is upheld. However, in this case the housing related policies of the SNP were out-of-date on the day that they were made”* (Appeal Inspector’s report: para 306)
- Changes to the local plan
 - Farnham: 5 years in preparation, 88% support at referendum, out of date within 6 months

Interpretation

- Newick – application granted on site rejected as unsustainable, despite no housing shortfall
- Buckingham and Scothern – Inspector and SoS disagree over whether application is in conflict with neighbourhood plan
- Milton Keynes – policy authors and decision-makers disagree over whether application is in conflict with neighbourhood plan

NPPF changes

- *“the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits”*
– if 4 criteria are met
- Standard methodology for calculating housing need
- Housing Delivery Test
- Local Plans to be reviewed at least every five years
- LPAs to provide housing requirements for neighbourhood plans
- OAN to be met *“as a minimum”*

Strategic planning mechanisms

- ‘Garden communities’
- Combined Authorities spatial development frameworks
- Oxford-Cambridge corridor
- LEPs and regional economic initiatives (e.g. Northern Powerhouse)
- Nationally Strategic Infrastructure Projects
- Expanded permitted development rights

Conclusions

- Neighbourhood plans can be effective in bringing together expert and local knowledges, engaging communities and giving effect to local priorities
- Government emphasises community control as a means to reduce opposition to development
- BUT factors beyond the control of neighbourhood planners limit effectiveness in influencing decisions
- Operation of national policy reduces community control and risks increasing opposition: tensions between localism and deregulatory agendas
- What is ‘normal’?

What next?

“We ignore at our peril the anger and disaffection felt by so many communities at the failure of current planning policies and procedures to listen to their concerns and respond to their needs. Restoring public confidence in the planning system is one of our generation’s greatest challenges.”

(Lord Raynsford, Raynsford Review, 2018)

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