

Item 7- Development Committee 31st March 2021

INFORMATION PAPER

From: Colin Hill – Town Clerk

To: Development Committee

Neighbourhood Plan Update

1 Local Plan

1.1 Local Plan Examination Hearings have been delivered/planned in three stages:

Stage 1 hearings

- Legal and procedural matters.
- Vision and strategy.
- Housing and employment need.
- Supply and travellers.

Stage 2 hearings

- Matters raised during the Stage 1 hearings.
- Spatial development strategy.
- Soundness of individual site allocations.
- Other policy matters.

Stage 3 hearings

Dates to be confirmed. The intention is to hold the Stage 3 hearings week commencing 10th May 2021. They will cover Matters raised during the Stage 2 hearings.

1.2 Determination at best by the Inspector, depending upon what emerges for Stage 3 hearing will at the end of this year, more likely into 2022 and then will need to go through a formal adoption process with CMBC.

2 Relevance of Local Plan

2.1 Any policies contained within the Neighbourhood Plan must not counter those contained in the Local Plan. Given that these policies were originally considered back in 2015/2016 and the status of the Local Plan, there will be a need to re-reference all policies with those in the new plan, given that these were originally considered back in 2015/2016

3 Updating our Plan.

3.1 Clearly a lot has changed since 2015 and not least Member's desire to introduce into our policy framework greater emphasis on flooding resilience, climate/sustainability matters and to take account of the Housing Needs Assessment Study completed last year.

- 3.2 Since the start of the year, Members have been reviewing the draft plan literally line by line, following which amends are currently being carried out to the core document. Where our consultants feel able to simply amend, they will do so, or be referenced for where further investigation/consideration is required.
- 3.3 The next stage for Members is to revisit the Design Guide and this work will commence mid – April.
- 3.4 Part of the draft Neighbourhood Plan included referencing non – listed buildings of local heritage interest. Members identified over 100 such properties and through a logical scoring process have prioritised these for further commentary.
- 3.5 We cannot simply just list these. We have to photograph every single one and provide reasons as to why they should be included. By inclusion, it places a greater need to justify any planning decision made appertaining to any property included in this list. This is a significant piece of work that will be running alongside other work.
- 3.6 Another element of the Neighbourhood Plan is the identification of Local Green Spaces. Again another significant piece of work that has not yet been started, but once out of lockdown, this can move forward. Again will require photographs, land referencing and rationale as to why to be included.

4. Consultation

- 4.1 Initial consultation carried out in 2015/16 involving workshops, identified what residents felt were priorities to help inform what policies should be included in the Neighbourhood Plan.
- 4.2 We need to be realistic that given the passage of time, an Inspector considering approving the plan, may not regard this as current enough and there may be a need to carry out more consultation.
- 4.3 The Neighbourhood Planning (General) Regulations 2021 - Regulation 14 states:-

Pre-submission consultation and publicity

- 14. Before submitting a plan proposal to the local planning authority, a qualifying body must—
 - (a)publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area—
 - (i)details of the proposals for a neighbourhood development plan;
 - (ii)details of where and when the proposals for a neighbourhood development plan may be inspected;
 - (iii)details of how to make representations; and

(iv)the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;

(b)consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and

(c)send a copy of the proposals for a neighbourhood development plan to the local planning authority.

Whilst we would be consulting at these final stages, it is risky to do so as feedback may indicate those initial priorities have substantially changed. Given the Neighbourhood Plan should recognise the priorities of the immediate area, we may be better to initiate further consultation before moving to Regulation 14.

5. Next Steps

5.1 Between now and say March 2022 we need to have:-

- a) Agreed our draft plan and design guide rewording
- b) Finalised our Local Building of Heritage Interest Register
- c) Finalised our Register of Local Green Spaces
- d) Referenced all Neighbourhood Plan policies to the new Local Plan Framework.
- e) If felt necessary, carried out further consultation

6 Resources to Deliver

6.1 Officers will continue to support Members through this process but if further public consultation is required this will need to be sourced externally.

6.2 Integreat, our Neighbourhood Plan Consultants, having carried out all the initial consultation, drafting of the plan and referencing to CMBC Local Plan but will now need to revisit this again. This is outside the scope of their original payment. I have held them to the technical bits they still need to complete but agreed another 8 days work - £1,600.

6.3 If further consultation is required, then I would estimate further costs of £5,000 to carry out this and bring the plan to Regulation 14 stage.

6.4 I will include budget provision when setting next year's budget by likely use of the Community Development Earmarked Reserve.

7. Conclusion

7.1 To Members this may see a very long-drawn-out affair, but in reality this is not unusual. We do however seem to have lost some focus in 2017-19 but this may be more tied in with Calderdale local plan status.

7.2 Whilst the Neighbourhood Plan cannot counter Local Plan Policies, by submitting to the Inspector after the Calderdale Local Plan is adopted, if approved, then our Neighbourhood Plan will be the latest and able to carry more weight.