

Action Points and Q&A's from the NSCPC Neighbourhood Plan Steering Group Meeting with MDDC Planners on the 30th of November 2023 at the Village Hall

Before the Meeting the following Agenda was set.

12-12.15 Welcome, introductions, and summary of progress of the Steering Group.

12.15-12.30 Mid Devon to set out current progress and timetable for the Local Plan.

12.30-12.45 Settlement curtilage- NP's power to change?

12.45-12.55 "Call for sites" - within the NP?

12.55-13.05 Local Green space-designation process?

13.05-13.15 Housing need-evidencing?

13.15-13.30 Community Housing Scheme(s) and the NP?

13.30-13.40 Infrastructure planning and the NP?

13.40-14.00 Other Q&A's?

14.00-14.15 Local Plans (adopted and emerging) -relationship of our NP with adopted and emerging MDDC plans? Working together-next steps.

Attendees and apologies.

Present- Tristan Peat (MDDC Forward Planning Team Leader), Aaron Beecham (MDDC Principal Housing Enabling & Forward Planning Officer), Mojca Sonjak (MDDC Forward Planning Assistant), Councillor Steve Keable (MDDC Cabinet Member for Planning and economic Regeneration), Graeme Barnell, Tom Langdon-Davies, Peter Hawksley, Andrew Broadhead, Mark Phillips, and Marcus Iles.

Apologies – Estelle Honebon, Gail Meldrum, and Peter Ward (Sandford PC Chair).

Welcome

Everyone welcomed to the meeting and the attached Power Point slides were shared to confirm the agenda.

Printed Q&A's from MDDC.

Mojca from MDDC shared the following formal written answers to the questions raised by the Steering Group after the Meeting.

- **Settlement curtilage- NP's power to change?**

It will be within the scope of the preparation of the neighbourhood plan to amend the settlement limit for Newton St Cyres village. The Local Planning Authority will also have an opportunity to do this through the preparation of a new Local Plan for the district. Typically, settlement limits are drawn to include the developed area of a settlement, including buildings, and also include land that is allocated for development in a development plan, or has the benefit of planning permission for development. But, they may exclude outlying buildings and also land where planning permission has previously been refused for development (where development would not be acceptable in planning terms). This approach is similar to other Local Planning Authorities in the preparation of their local plans.

- **“Call for sites” - within the NP?**

The NP group can undertake its own call for sites in the parish of NSC, and this was the approach taken by Silvertown Parish Council in the preparation of its own neighbourhood plan. We suggest there may be an advantages for the NP group doing this as it will be seen by the community as being a locally driven exercise and be supported, and you may also have knowledge, established contacts and dialogue with local landowners. The Local Planning Authority undertook a district wide call for sites in 2021 and this information is being used to inform the preparation of the Housing and Economic Land Availability Assessment (HELAA). The HELAA will be technical evidence that can be used to inform the preparation of development plans and it is intended it will be published as a supporting document to a consultation document on Draft Policies and Site Options for the new Local Plan in late 2024.

- **Local Green space-designation process?**

The NP can designate areas of local green space. These must meet the criteria set out in the National Planning Policy Framework (NPPF)

101. *The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

102. *The Local Green Space designation should only be used where the green space is:*

- a) *in reasonably close proximity to the community it serves;*
- b) *demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

c) *local in character and is not an extensive tract of land.*

103. *Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*

We encourage that the NP group approach land owners where they would wish to designate local green space. In the case of Tiverton NP, the Examiner asked NP Steering Group if they contacted owners of the areas the NP was putting forward as Local Green Space (Microsoft Outlook - Memo Style (middevon.gov.uk)).

The adopted Mid Devon Local Plan includes Policy DM24 for the protection of Local Green Space and designates 7 areas of Local Green Space in the district. There will be an opportunity to designate Local Green Space through the preparation of the new Local Plan.

• Local Plans (adopted and emerging) -relationship of our NP with adopted and emerging MDDC plans?

The Government has published national planning guidance on this matter: [Neighbourhood planning - GOV.UK \(www.gov.uk\)](http://www.gov.uk):

Paragraph: 009 Reference ID: 41-009-20190509

Revision date: 09 05 2019

The NP must meet basic conditions and be in general conformity with the strategic policies of the adopted Mid Devon Local Plan.

Although it will not be tested against policies in the emerging new Local Plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which the NP is tested (e.g. evidence of local housing need).

Given that Draft Policies and Site Options for the new Local Plan will be developed over the coming months through 2024/25, we encourage a continued dialogue with the Local Planning Authority to help achieve, wherever possible, the production of complimentary NP and new Local Plan policies so as to avoid, or minimise any conflicts between policies in the NP and those in the emerging Local Plan. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Additionally, you have the option to modify your Neighbourhood Plan once the new Local Plan is adopted, to align conflicting policies.

We welcome that once you have a working draft neighbourhood plan you share this with us in advance of the regulation 14 consultation so that we can be sighted of its

content and have an early opportunity to provide some informal comments. By this stage we may be clearer about the content and direction of the new Local Plan.

- **Housing need-evidencing?**

The Local Planning Authority can support the NP group through commissioning a local housing needs survey for the parish through the Devon Rural Housing Partnership. However this would not extend beyond the parish. There is also a recently completed district wide Local Housing Needs Assessment which has assessed and local housing need (tenure and house type etc) in relation to the overall district housing requirement set through the Government's Standard Method for calculating housing need. This district wide Local Housing Needs Assessment will be updated once the 2021 Census data has been published and when the Government has amended the Standard Method formula. This update may take place in 2024.

We acknowledge the NP group may wish to explore local housing need over a wider geography than NSC parish, to include Crediton and other parishes in the local area, and in the context of housing need in Exeter. This is something that the NP group is able to do and is welcome to pursue through its own means for the purpose of helping to inform the neighbourhood plan. However, this level of evidence is not necessary in the context of preparing the new Local Plan given that we already have a district wide local housing need assessment, and there is scope for a parish based assessment. These two levels of housing need assessment will be sufficient to provide technical evidence that is proportionate to that which is needed to inform the new Local Plan. It is unclear what added value a further housing needs assessment would bring to informing the preparation of a new local plan, when for example any future decision that may be taken over the potential allocation of land for development at NSC would need to weigh up other planning considerations in the round as part of planning for sustainable development, such as the suitability of available sites (e.g. access, nature conservation, heritage interests, flood risk, landscape and the character of the settlement), the level of local service provision, transport and other community and utilities infrastructure, development viability, and the spatial development strategy for the district (including the role of Newton St Cyres and other settlements a settlement hierarchy). Further evidence about housing need would need to be balanced with these other planning considerations, and the district wide local housing needs assessment that we already have.

We also wish to draw your attention to the new Meeting Housing Needs Supplementary Planning Document which has very recently been approved.

[Meeting Housing Needs - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/Meeting-Housing-Needs)

This includes guidance to support policies in the adopted Mid Devon Local Plan and will be capable of being a material consideration in the decisions taken on planning proposals submitted for determination. The Supplementary Planning Document includes guidance for affordable housing (tenure and dwelling size mix), community led housing, custom and self-build and other types of homes.

- **Infrastructure planning and the NP?**

The NP can identify what infrastructure improvements may be needed to support new development in the parish and this can be used by the Local Planning Authority to help inform its Infrastructure List and prioritisation of infrastructure which can be funded in whole or in part through Section 106 funds. However, this will not guarantee that such Section 106 funds will be made available for local infrastructure improvements, unless those Section 106 funds have been secured from, and are necessary to support new development in the locality i.e. meeting legal tests through the Community Infrastructure Regulations.

General approach and advice

We suggest that the neighbourhood plan is kept focused on those issues that matter most to the local community, and that you are confident they are necessary and important in the local context to help achieve the aspirations of the community for helping to shape the future planning of the area. This focus will also help to keep the project manageable within the scope of what the neighbourhood planning group can achieve and the resources it has available. The neighbourhood plan should avoid duplication and repetition of policies in the Local Plan or National Planning Policy Framework, and also avoid the introduction of alternative and subtle differences in wording between plan policies, where there is a risk this could lead to ambiguity, inconsistencies and potential tensions between those plan policies, which could frustrate the preparation of planning proposals, and once submitted for determination, the weighing up and making decisions on these. We also draw attention to the Government's intention to introduce a national set of development management policies. We may find out more about these in the next revision to the NPPF (expected this month).

One thing we forgot to mention yesterday when we were talking about housing provision and allocations: At the beginning of the next year we are going to launch a Rural Settlements Survey. This survey will gather information on what facilities are/are not in settlements across Mid Devon and will help us inform which settlements might be suitable for possible housing allocations. If you could please keep an eye out for this survey and hopefully encourage other people to do it, it would be very helpful.

Action Points-Additional items not covered in the Q&A.

- 1) NSC NHP Steering Group to share previous Housing Needs survey with Aaron for feedback.
- 2) NSC NHP to reference Chawleigh for example of "wording" for Local housing eligibility.
- 3) NSC NHP could consider a "Neighbourhood Development Order" if it wanted to consider developing its own housing. (Steve shared the statistic that only 9 social homes out of 149 for MD are "west" of Silverton).
- 4) NSC NHP to contact Willand to understand their progress to Regulation 14 in 12 months.
- 5) Both parties agree to work together in the future.

Next Meeting of the NSC-NHP Steering Group

Wednesday 6th of December 2023 at 7pm in the Village Hall Club Room.

Finally thank once again to the MDDC and Councillor Keable for visiting us and answering our questions.

Marcus Iles

Secretary for NCS-NHP Steering Group.

Marcus Iles.