

NOTES FOR BLEADON PARISH COUNCIL AND PARISHIONERS

PROS AND CONS OF NEIGHBOURHOOD PLANS AND VILLAGE PLANS (STATEMENTS, CHARACTER STATEMENTS ETC.)

As I was asked to and have spoken on the matter of Neighbourhood Plans at Bleadon Parish Council Meeting the matter of the pros and cons comparison with Parish Plans came up.

I offered to give my views, dispassionately, on the document already prepared for the decision at Locking. I try to be even handed and I am fully aware of the commitment and effort required to create either document if they are to be successful.

I will say that if either document is started with anything less than a positive attitude failure will be self-fulfilling. Change is inevitable. Never starting because change may occur.... Well I suspect you know what I would say to that.

NOTE:

This document is only half my work and is based upon the document referred to in my presentation Q&A.

The original document used for the basis of this commentary is as verbatim written by DJL 2/18 for Locking Parish Council, whom I thank for his work in framing points for discussion. I said that I had considered it and here are my considerations. I am particularly struck by the fact that there is mention of all major development having been already in progress, which would weigh heavy in any decision if it were the case.

I wish Bleadon well on its chosen course.

Nigel Cooper 10/4/18

Original Document (VERBATIM)	Discussion: By Nigel Cooper
NEIGHBOURHOOD PLANS	
<u>PRO:</u>	
A Neighbourhood Plan (NP) is a Central Government concept and there has been a good deal of encouragement for parishes to draw them up.	Agreed
In theory, a NP (once approved) carries legal weight and is a restraint on freelance development in the area it covers	It isn't a theory; it is fact that it becomes part of the Local Plan controlling how development occurs.
Approved NPs make their sponsoring councils eligible for a higher rate of funding from S106 money.	More Funds are available from CIL (Construction Infrastructure Levy). It provides for 50% of CIL payments made on development in the plan area whereas 15% is paid if there is no NP. Be aware that some developments do not have to pay and several have dispensations for elements of brownfield and social housing that reduce payments. Nothing is simple.

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<p>It allows the parishioners to decide where and what developments there may be with the parish boundaries, and that opinion carries weight when planning decisions are being made.</p>	<p>Housing development in an area is primarily controlled by North Somerset Policies unless NSC cannot provide 5 years' building land, in which case its policies are treated as out of date and developers can challenge the policies and often win.</p> <p>If the Council can prove it has 3yrs supply of land (It does) then any Neighbourhood Plan that allocates <u>some</u> housing is fully active in controlling housing in its plan area, irrespective of the out of date council policies. This holds for 2 years after the NP is made official.</p> <p>I harp on about the two years because I am strongly suspicious about the Council's ability to pass examination on the JSP and Local Plan with sufficient land for housing to demonstrate 5 years supply. So protection to control where housing goes will be less certain without a NP less than 2 Years old.</p> <p>It may be that the Govt. extends or removes this right of NPs.</p>
<p>CON:</p>	
<p>Neighbourhood Plans are focussed on planning matters and do not consider wider issues</p>	<p>True, their focus is on development and all matters that are impacted by development, but that is a fairly broad definition.</p> <p>Other matters can be included, but will only have the same impact as a Village Plan in planning.</p>
<p>NPs can only be presented by Councils.</p> <p>A council may choose to sub-contract the labour involved, but the plan remains a council document which it is responsible for.</p>	<p>Not exactly true, other groups or businesses can become qualifying bodies, but it is true that it is far easier to have the PC making submissions even if the work group is mainly parishioners.</p>
<p>As matters stand in Locking, the council are not keen on the effort and cost of drawing up an NP.</p> <p>Whether they would agree to a separate group drawing up the plan for them is untested but would be a possibility.</p>	<p>Locking 's decision is theirs but I wonder what costs they would incur are not covered by grant funding. It is true the effort is considerable. I do not recommend separating the group that makes a NP from the PC ...join them together.</p>

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<p>There are costs involved over and above those of drawing up any plan in the first instance. It is necessary to employ a consultant expert to examine a draft NP and advise on its correctness and suitability. Once past that hurdle, a referendum has to be held, giving every household in the parish a copy of the plan and asking for approval or otherwise.</p>	<p>The Costs of a health check can be grant-funded, as are most matters. NSC pays for and arranges the examination and referendum</p> <p>You do not have to continually print large numbers of the Plan, make it available online and provide copies in key public locations. If you are carrying the community with you they will know the document by time of referendum in any case.</p>
<p>While an NP entitles the parish council to a higher rate of S106 type money, it is paid when plans are put into effect and that has already happened with regard to developments in Locking. This means that there is little or no further funds to come from this source</p>	<p>If S106 and CIL payments have been made on all significant development that is ever going to happen then, of course there is no additional fiscal benefit to a NP.</p> <p>IF ALL DEVELOPMENT OF ANY SIGNIFICANT NATURE HAS ALREADY BEEN GIVEN PERMISSION THEN IT IS TRUE THAT NO DOCUMENT CAN CHANGE THE FUTURE SIGNIFICANTLY APART FROM WHEN BROWNFIELD COMES AVAILABLE. THIS IS A KEY DECISION POINT.</p>
<p>At January 2018, national planning laws and regulations are in a state of flux and existing, already approved, NPs are being returned to their originators to be re-written to conform to the new rules which are not yet clear. Advice is that it will be at least some time in 2019 before the national framework settles down</p>	<p>The revised NPPF has been published. The key matter is whether the govt continues to support Localism. IT may change but all signs are that support is consistent thus far. No guarantees.</p>
<p>Neighbourhood Plans were a product of 2011 legislation by the previous labour government and may well be reduced or abolished under the new national planning regime which may evolve from the present government</p>	<p>Anything is possible but it hasn't happened yet.</p>
<p>Parish Plan</p>	
<p>PRO:</p>	

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<p>There are no constraints on what is taken into it. While planning issues will remain an important strand, a PP can take a much wider view of the Parish, its constituent parts, and how we might like it to develop</p>	<p>I don't know what cannot be, with equal impact, incorporated into a NP that can be put in a Village Plan. Even though something is NOT a development planning matter it can be stated in a NP with equal effect to a Village Plan. NSC can elevate a village plan, to a supplementary planning guide, but I do not believe it has ever done so. The planners will do what they can to raise matter within a Village Plan, provided it is brought to their attention and it can be supported by strategic policies.</p>
<p>A PP is the product of the group drawing it up. While it will be necessary to stay in step with the Council, the group does not have to be subservient to it nor take directions from it</p>	<p>A NP is the product of its community group. Anything that impacts planning is always subservient to the Local Plan, JSP and NPPF, from whatever other source. A Village Plan can state whatever it likes but unless it accords with higher requirements it will be of no account.</p>
<p>It is not necessary to incur costs beyond any which the group decide should be. In general, the cost of a PP can be kept to substantially less than an NP.</p>	<p>If we consider net costs to the Parish Council after Neighbourhood Plan grants are taken into account then I suspect that Village Plans, which have no govt. grant funding, are more costly.</p>
<p>The 2005 plan is available as a guide to a limited extent and can be useful as a starting point</p>	<p>Prior Village Statements are an excellent position to start either document.</p>
<p>CON:</p>	
<p>A parish plan, drawn up without compulsory engagement with the county planners, does not carry legal weight and hence can be disregarded if it is at odds with wider planning issues</p>	<p>True</p>
<p>This means that the parish could be open to a charge of not engaging with wider planning and social issues and therefore open to being dictated to by higher levels of authority</p>	<p>Not really, it will just not have development impact unless it aligns with the already written Strategic or National Policies.</p>
<p>It does not bring any financial advantages to the parish</p>	<p>True. But development of a scale and type to attract Levy charges would have to occur, and they bring long-term costs anyway with new population. I do not recommend stressing CIL benefit too much.</p>
<p>Either way, there is substantial time and effort required and the potential for costs to arise</p>	<p>What is the difference in Parishioner and PC effort if similar ground is to be covered?</p>

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<u>THE MIDDLE WAY</u>	
I have proposed that we draw up a parish plan ourselves at this stage. This gives us the freedom to pursue any and all issues which affect the parish without being constrained by the laid down requirements of an NP	True
BUT NPs are drawn up to a particular format and we can draw up the part of a PP which deals with planning matters in such way that, once national planning regulations settle down, we can turn the planning part of our PP into an NP simply by putting it through the legal requirements (Examination, referendum, etc) for the change.	<p>If this is to be successful you need to write a Neighbourhood Plan and call it a Village Plan. Otherwise it is by no means as simple as suggested.</p> <p>I struggle to see the difference in effort if this path is followed as proposed. The Community has to be consulted and agree and all the Planning Matters have to accord with NP principles. It will cost more as there is no govt. grant.</p>
The Parish Council have already approved this approach by majority vote, which means we have authority to get on with it. If the consensus of group members is to go direct to an NP now, it will be necessary to go back to the Parish Council and get approval (and support) for this	No Comment.