

General information on town and country planning, including neighbourhood planning to ensure voters have sufficient knowledge to make an informed decision.

The Planning System

Most new buildings or major changes to existing buildings or to the local environment need consent - known as planning permission. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live in, work in or enjoy the area.

Harborough District Council, as the local planning authority, is responsible for deciding whether a development - anything from an extension on a house to a new shopping centre - should go ahead within the District.

Planning involves making decisions about the future of our towns, villages and countryside. This is vital in balancing our desire to develop the areas where we live and work with ensuring the surrounding environment isn't negatively affected for everyone.

Planning law requires that applications for planning permission must be determined in accordance with the development plan for the local authority area, in this case Harborough District, unless material considerations indicate otherwise. This development plan can comprise a number of documents including local plans (such as the Harborough District Core Strategy), supplementary planning documents and neighbourhood plans. All such documents are required to be prepared in consultation with the local community and reflect national policy as set out in the national planning policy.

National Planning Policy Framework

The National Planning Policy Framework (or Framework) was published on 27 March 2012. It sets out the Government's planning policies for England and how these are expected to be taken into account by communities when preparing neighbourhood plans and by local councils when drawing up local plans and making decisions on planning applications. At the heart of the Framework is a presumption in favour of sustainable development and this has to be reflected in plans, both at a district level and a neighbourhood level.

Local Plans

Local planning authorities, such as Harborough District Council, must prepare a local plan for their area which sets out the opportunities for development and clear policies on what will or will not be permitted and where. They must be positively prepared, justified, effective and consistent with the National Planning Policy Framework. As part of the development plan, local plans are very important when deciding planning applications.

In Harborough District, the Local Plan currently comprises the Core Strategy which was adopted in November 2011. It sets out clear strategic priorities for the District and states where development should take place up to 2028. The preparation of a new Local Plan is currently underway and involves amending current Core Strategy policies to reflect the Framework and to include site

specific allocations for housing, employment and retail development where appropriate. Once adopted, this Local Plan will replace the Core Strategy and comprise part of the District's development plan.

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act to give members of the community a more hands on role in the planning of their neighbourhoods.

Parish councils or neighbourhood forums (community groups that are designated to take forward neighbourhood planning in areas without parishes) can now use neighbourhood planning powers to establish general planning policies for the development and use of land through the preparation of a neighbourhood plan (sometimes referred to legally as 'neighbourhood development plans').

The legislation, however, sets out that neighbourhood plans have to meet a number of 'Basic Conditions' to ensure they are legally compliant and take account of wider policy considerations.

The Basic Conditions are that the Plan must:

- have regard to national planning policy and advice contained in guidance issued by the Secretary of State (e.g. National Planning Policy Framework);
- contribute to the achievement of sustainable development;
- be in general conformity with strategic policies in the development plan for the local area (i.e. Core Strategy); and
- be compatible with EU obligations and human rights requirements.

Once drafted, a neighbourhood plan is required to undergo an independent examination. The appointed examiner will check that the neighbourhood development plan meets the basic conditions before recommending that it proceeds to a local referendum. This is to make sure that referendums only take place when proposals are clear, deliverable and sustainable.

Great Easton Neighbourhood Plan

The Great Easton Neighbourhood Plan has been produced by the Great Easton Neighbourhood Development Plan Group, led by the Parish Council, in consultation with the local community.

The Examination Version of the Plan underwent a period of consultation from which was followed by an Independent Examination. As part of this process the appointed Independent Examiner, Mr Nigel McGurk, decided a Public Hearing into the Neighbourhood Plan was not required.

Harborough District Council received the Examiner's Report into the Neighbourhood Plan in June 2017. In his report the Examiner concludes that:

Summary

....., a number of modifications are recommended in order to enable the Neighbourhood Plan to meet the basic conditions.

Subject to these modifications, I confirm that:

- *having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;*
- *the making of the neighbourhood plan contributes to the achievement of sustainable development;*
- *the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);*
- *the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and*
- *the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.*

Taking the above into account, I find that the Great Easton Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

Referendum

I recommend to Harborough District Council that, subject to the modifications proposed, the Great Easton Neighbourhood Plan should proceed to a Referendum .

Referendum Area

I am required to consider whether the Referendum Area should be extended beyond the Great Easton Neighbourhood Area.

I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

Consequently, I recommend that the Plan should proceed to a Referendum based on the Great Easton Neighbourhood Area approved by Harborough District Council on 13 January 2015

The District Council proposes to accept all but one recommendation of the Examiner, and undertook a further 6 week consultation between 2nd October and 15th November to notify and invite representations from all those prescribed by Regulation 17A(2) Neighbourhood Planning (General) Regulations 2012 (as amended) being:

- (i) the qualifying body,
- (ii) any person whose representation was submitted to the examiner of the plan proposal in accordance with Regulation 17(d); and
- (iii) any consultation body which is referred to in the consultation statement mentioned in Regulation 15.

A consequence of not accepting one recommendation from the Examiner's report is that a proposed modification was needed to the Neighbourhood Plan and it was in relation to that proposed modification, and no other matters, that representations were invited.

The proposed modification arose as a result of new evidence which led the District Council to take a different view concerning one of the recommendations made by the Examiner in his report.

The Examiner made a recommendation, as set out below, concerning Policy H1 (Housing Provision) and H3 (Housing Allocations). The Examiner considered that to include the requirement for a permissive footpath in policy H3 of the Neighbourhood Plan was not possible and led to an imprecise policy that did not meet the requirements for planning obligations. It was proposed by the Examiner that the text be removed from Policy H3 and included with amended wording as a paragraph in the body of the text. The paragraph as proposed by the Examiner is highlighted below:

Extract from the Examiners Report – proposed modifications on which representations are invited relates to highlighted text

77 Policy H3 seeks to impose a planning obligation in respect of something to which it is not party and over which it has no control. Further more, it seeks to impose undefined "other terms," yet to be agreed, on other parties. This element of Policy H3 is imprecise.

78 It is unclear why Policy H3 allocates land for a single dwelling for a rural worker when national policy provides for such dwellings, subject to demonstrating need. No substantive evidence is provided in this regard.

79 It is unclear why the provision of "pedestrian access" in one place relates directly to the allocation of land somewhere else. Planning obligations must be directly related to development, as set out in Paragraph 204 of the Framework. They must also be necessary to make development acceptable in planning terms and it is unclear how "providing for a permissive path for pedestrian access" as a contribution to something that does not exist meets this test. In addition, planning obligations need to be fairly and reasonably related in scale and kind to development. There is no evidence that Policy H3 achieves this.

80 It is not clear why just one of the allocations should provide a single house of three bedrooms or fewer. There is no evidence to demonstrate that the Neighbourhood Plan's proposed provision of just one house with three bedrooms or fewer would satisfy local need.

81 The specific numbers apportioned to each site by the Neighbourhood Plan are not supported by detailed masterplans, demonstrating viability. Paragraph 173 of the Framework requires "careful attention to viability and costs." I take this into account in the recommendations below.

82 There is a typographical error on page 21. Policy H3 does not identify housing mix and the supporting text is imprecise in this regard. The final paragraphs of supporting text on page 26 appear to set out the Policy before the Policy itself. This is unnecessarily repetitive.

83 Taking all of the above into account, I recommend:

- *Combine Policies H1 and H3, to create a new " Policy H1 - Housing Allocations"*
- *New Policy H1 to be worded "Land is allocated for residential development on the following sites (see plans be/aw): Rear of 2 High Street (around 11 dwellings); Adjacent to Barnsdale House (around 6 dwellings); Rear of 28 Broadgate (around 13 dwellings); Rear of 14 -18 Caldecott Road (around 4 dwellings)."*
- *Page 21, second Para, add " ...stock comprises 278 dwellings, primarily..."*
- *Page 26, first line, delete ", together with the mix,"*
- *Page 26, delete last Para of supporting text*
- *Page 26 delete "Allocations are as follows...three bedrooms or fewer"*
- *Add to remaining supporting text on page 26 "The landowner of land Adjacent to Barnsdale House has committed to ensuring that, as part of the development of the site, permissive pedestrian access to an area of former railway track elsewhere will be provided, as a contribution towards the creation of a circular path for the benefit of the people of Great Easton."*

It was the proposal of the District Council to exclude the final bullet point (highlighted above) from the recommendations made by the Examiner from the referendum version of the Great Easton Neighbourhood Plan. It was in relation to this proposed modification that representations were invited.

At its meeting on 4th December 2017, the Executive agreed that all but one of the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum (see Executive decision at Appendix 1).

The Qualifying Body has made the modifications, as approved by Executive Committee, to secure that the draft plan meets the basic conditions. Appendix 2 sets out these modifications and the action to be taken in respect of each of them.

The Council agrees with the Examiner's recommendation that there is no reason to extend the Great Easton Neighbourhood Area for the purpose of holding the referendum.

The Examiner has concluded that with the specified modifications the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view and that the exclusion of the text as outlined above does not affect the Plan's compliance with the provision made by or under sections 38A and 38B of the 2004 Planning and Compulsory Purchase Act.

Harborough District Council has also published a Basic Conditions and Compliance Statement for the Great Easton Neighbourhood Plan. The modified version of the Plan is now the subject of a Referendum which is to be held on 12th October 2017.

If the Plan receives a 'Yes' from more than 50% of those voting, the Great Easton Neighbourhood Plan will be 'made' (or brought into effect) by Harborough District Council as soon as possible. This

Great Easton Neighbourhood Plan

means it becomes part of the Development Plan and, as such, together with the adopted Core Strategy will be the starting point for the determination of planning applications within the parish of Great Easton.

Information in relation to neighbourhood planning is available on the following website:

www.gov.uk/neighbourhood-planning