

East Langton Neighbourhood Plan Review Submission December 2021

Consideration by Harborough District Council of Minor (non-material)/Major (material) updates to the Made East Langton Neighbourhood Plan (26 June 2018)

1 Planning process

The East Langton Neighbourhood Plan passed Referendum with 132 yes votes out of 147 persons that voted on a turnout of 41% on 21 June 2018. However, since submitting the Neighbourhood Plan the Harborough Local Plan has been formally adopted and the new National Planning Policy Framework (2019) is in force.

These significant developments resulted in the Parish Council taking the decision to formally review the Neighbourhood Plan to ensure that it remains relevant and shapes development within the Parish up to 2031, also the timescale for the new Harborough Local Plan.

The opportunity has been taken to review all the current Plan policies and consider whether they now meet the needs of the community. The revised Neighbourhood Plan allocates two sites for residential development and has reviewed the range of environmental protections to better reflect the importance of the countryside and open spaces locally. Some policies are new whilst others have a strengthened evidence base.

Other provisions within the Neighbourhood Plan remain unchanged from the version which passed referendum in 2017. The QB have sought to change only those policies that require updating in line with changed circumstances or community requirements.

The process for reviewing the Neighbourhood Plan is set out in the Consultation Statement which is included within the Submission material.

In addition to the Consultation Statement the East Langton Neighbourhood Plan Review 2021 is accompanied by:

- Updated Statement of Basic Conditions;
- Census data from 2011;
- Land Registry data;
- Housing Needs Report
- Site Assessment Summary
- Historic Site list
- Updated Environmental Inventory
- Updated Local Green Space assessment
- Updated Important Views evidence
- Updated SEA determination/screening
- Updated Regulation 14 Consultation feedback and responses
- Responses to request for confirmation amongst Regulation 14

Consultees as to whether the amendments are considered material or non-material.

- Statement from the Qualifying Body about whether the amendments are considered material or non-material.

2 Planning Strategy

The timescale for the 'made' East Langton Neighbourhood Plan was already aligned to the new Local Plan in reflecting a time period of 2016-2031.

The adopted Harborough Local Plan has removed the Limits to Development which were a part of the Core Strategy 2006-2028. The review Neighbourhood Plan has taken the opportunity to reinstate a settlement boundary (Policy H2 – Settlement Boundaries) in order to control development over the Plan period and to reinforce the different approach to development within and outside the settlement boundary.

The Local Plan sets a minimum requirement for East Langton of 30 new dwellings in the Plan period. The allocation policies in the review East Langton plan seeks to deliver this requirement.

Since the East Langton Neighbourhood Plan was 'made', further revisions have been made to the National Planning Policy Framework (NPPF) in August 2018 and February 2019.

Paragraph 14 of the updated NPPF states that 'the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits', under specified circumstances if the Neighbourhood Plan provides additional housing. One of the driving forces behind the decision of the Qualifying Body to review the East Langton Parish Neighbourhood Plan was to take advantage of this opportunity.

3 Neighbourhood Plan Policies

The Review Neighbourhood Plan has introduced the following changes to the Neighbourhood Plan which was Made in June 2018.

Policy S1 – The policy on a 'Presumption in favour of sustainable development' has been deleted

New Policy H1 – site allocations have been made in the Neighbourhood Plan to achieve the

minimum housing requirement as set out in the Local Plan, alongside windfall development. The Council considers this to be a Material change requiring a referendum as introduction of a site allocation policy has a significant impact on the nature of the Plan.

New Policy H2 –Settlement Boundaries have been introduced for both villages. The Council considers this to be a Material change requiring a referendum as it introduces a significant modification which changes the nature of the Plan.

Policy H3 Windfall sites (previously H2) – the same as Made NP Policy H2 which also now references the settlement boundary rather than ‘the built-up area’. The Council considers that this is a modification which does not affect the nature of the Plan.

Policy H4 Housing mix (previously H3)– the same as Made Policy H3 with additional text for clarity to reference the size of dwellings. The Council considers that this is a non-material change.

Policy H5 Affordable Housing (previously H4) – no changes

Policy E1 Employment – no changes

Policy E2 Re- Use of Agricultural or Commercial Buildings – no changes

Policy E3 Home Working – no changes.

Policy E4 – Broadband Infrastructure – minor text changes

Policy CS1 Protecting Key Community Services – no change to policy. Addition of explanatory text

Policy CS2 New or Improved Community Service – no changes

Policy DBE1 Protection of the Built Environment: Conservation Areas and Listed Buildings – no changes

Policy DBE2 Local Heritage Assets of Historical and Architectural Interest – Additional structure added to list. The Council considers that this is a material change that does not affect the nature of the Plan, requiring Examination only.

Policy DBE3 Design – no changes

Policy ENV 1 Protection of Local Green Space – an additional site has been added to the list.

The Council considers this to be a material change that does not affect the nature of the Plan, requiring Examination only. (note: there have been representations made by the land owner of the newly designated Local Green Space)

Policy Env 2 Other Environmentally Significant Sites – minor changes to remove a site no longer considered to be environmentally significant. The Council considers this to be a material change that does not affect the nature of the Plan, requiring Examination only.

Policy Env 3 Biodiversity – no changes

Policy Env 4 Trees – Minor text changes. The Council considers this a minor amendment.

Policy Env 5 Ridge and Furrow – no changes

Policy Env 6 Area of Separation – no changes

New Policy Env 7 Protection of Important Views – New policy to allow for account to be taken of important views in planning decisions. The Council considers this to be a Material change requiring a referendum as it introduces a significant modification which changes the nature of the Plan.

Policy T1 Traffic Management – no changes

Policy T2 Footpaths, footways and Bridleways – no changes

4 Note on the Nature of the Changes

The Qualifying Body take the view that while some changes were non-material modifications

and some were materials modification not requiring a referendum, there were sufficient changes that change the nature of the Plan and require Examination and Referendum.

Planning Practice Guidance, reviewed in May 2019, introduces the following categories:

1. Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
2. Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
3. Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

The 'made' East Langton Neighbourhood Plan has policies on design, windfall development, affordable housing and housing mix. The Review Neighbourhood Plan has been amended to allocate housing sites and continues to direct growth through the newly defined limits to development, windfall and Local Green Space protection policies.

5 How are these changes regarded by the Qualifying Body?

The Qualifying Body are fully supportive of the changes to the Made Neighbourhood Plan as described above and take the view that the changes to the Plan are material and affect the nature of the Plan.

Amendments were considered following Regulation 14 consultation and changes incorporated into the Submission version of the Neighbourhood Plan as identified in the Regulation 14 comments and responses document.

The East Langton Review Neighbourhood Plan was formally approved by the Parish Council at its meeting on 18 November 2021 (minute item 7 refers)

6 Conclusion

It is the view of the Council that the changes are material and affect the nature of the Plan. In the view of the Council the East Langton Review Plan requires examination and a referendum.