

Weston under Penyard Neighbourhood Planning Update

Background



The Herefordshire Local Plan Core Strategy 2011 - 2031 was adopted in October 2015.

The Weston under Penyard Neighbourhood Development Plan 2011 – 2031 was adopted in May 2016, lawfully becoming part of the Core Strategy.

The Core Strategy must be reviewed every five years and HC is now starting the review process for adoption of a revised Core Strategy in 2020. The National Planning Policy Framework (NPPF) requires the housing needs in the Core Strategy to be reviewed every 5 years.

The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental and social planning policies for England. The policies set out in this framework apply to the preparation of local and neighbourhood plans and to decisions on planning applications. The NPPF covers a wide range of topics including: housing, business, economic development, transport and the natural environment.

Present Status

HC say it is likely that their Core Strategy will need to be revised. Presumably this could include a change to the number of houses that should be built in the county. If this was to impact on the number of houses that our NDP provides, the timing for the completion of a revision would probably be in the second half of 2020 or later. The existing Core Strategy will remain as the statutory development plan (including our NDP) until the new plan is adopted.

Is our NDP “out of date”

This terminology is unfortunate and not easy to explain. It is not an official statement but rather a criticism that seems to be based on only one condition. One description is:
Where the principal authority cannot show a five year supply of housing land, policies relating to the supply of housing should be considered ‘out of date’ and the presumption in favour of sustainable development should be triggered, making it very much easier for speculative development outside of allocated sites to gain planning permission.

This applies in the case of HC’s Core Strategy, since a five-year land supply can still not be demonstrated. We are therefore at risk of someone saying that the housing allocation policies in our NDP are out of date (because of a cascade effect from the Core Strategy). The bulk of the Core Strategy and NDP policies are not impacted by this. We should therefore not think of our NDP as “out of date”.

Has our NDP lost material weight?

This question arises because of a 2018 revision to the NPPF in para 14.

NDPs still have full weight if all the following apply:

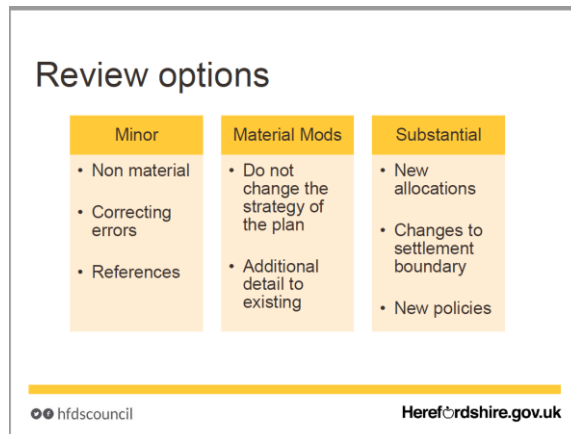
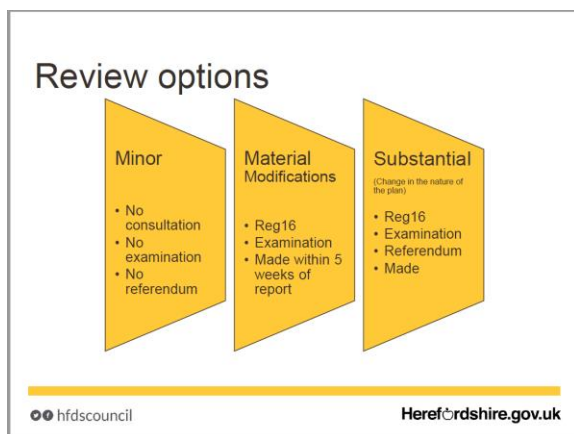
1. The NDP is under 2 years old
2. It contains site allocations
3. The LPA has at least a three-year land supply

For condition (2) our NDP has the advantage of containing both site allocations and a neighbourhood settlement boundary.

For condition (3) HC complies – it has a 4.05-year supply (1st April 2019)

The problem is the 2-year condition, for which there seems to be no rhyme or reason. We have a perfectly good NDP, but this factor alone could introduce a risk of a potential developer challenging our NDP.

Should We Review/Revise our NDP?



To decide what action to take, if any, an in-depth review will be needed, probably over the next few months. One important element to note in the 'minor review' is that these changes will not necessarily result in the plan needing to be 're-made', therefore the '2 year' date will not restart. This is likely to drive us toward some material modifications (the second option above).

What actions should we take?

Whilst it might be preferable to revise our NDP very quickly to remove us from the 2-year trap, we may need to wait until we see the changes to the Core Strategy so that we can dovetail with any revised policies. There may be many more reasons why we might want to revise our NDP. Overall the process may take at least a year. Grant aid will be available.

The process should kick off in January with a session with the HC NDP team officers to discuss the potential level of review for our NDP.

The parish council should now confirm if the Planning Group are willing to work on the review, commencing January 2020.

John Smart
28th November 2019