PC notice – Status of Neighbourhood Plan - 18.03.19

1. The NPPF has been revised. It still clearly supports the development of NPs.

2. HC is required to meet the requirements of the revised NPPF in both its plan-making (Core Strategy) and its decision-making (dealing with planning applications), therefore the HC Core Strategy will be reviewed, beginning in late 2019.

3. The revised NPPF states that where NPs are more than 2 years, their policies concerning housing supply may be considered 'out of date' if
    a. The local authority (HC) cannot demonstrate a 5-year housing land supply, or
    b. The delivery of housing in a NP Area (e.g. EGPC) has been substantially below the requirement for the past 3 years.

4. **Notes** clarifying point 3:
    a. HC currently has a housing land supply of 4.55 years (not 5). The Core Strategy revision beginning in late 2019 and expected to complete in early 2021, will not be allowed to be adopted unless the land supply is 5 years or more. Therefore, this is a temporary situation.
    b. The minimum requirement for housing in the EGNP is 63 in the Group by 2031 (Policy H1 page 24). The Core Strategy states clearly that, where there is a group of parishes in the NP Area, the housing minimum can be built anywhere in the group. From the beginning of the NP period (Nov 2011) from which development is counted as NP delivery, 39 of the 63 homes have been started or completed and a further 17-20 are committed. 39 homes represents 62% of the minimum requirement in 8 years or 40% of the 20 year NP period. This NP is well above the proportional growth requirement for this point in the NP period.

5. Advice from the HC NP Team:
    a. As the EGPC Plan is 'out of date', the PC could undertake a review of the housing policies and allocations of the NP *before* HC completes its revision of the Core Strategy, or *after* the revised Care Strategy is adopted. A NP cannot be significantly revised without new consultation at Regulation 14 and 16, external examination and referendum. The process, even if the review is only of the housing policies is long and expensive.

    b. The NP Team advises parishes to bear in mind that their NPs will have to conform to the Basic Conditions of the revised Core Strategy once it is adopted in 2021. Parishes conducting a review before 2021, might find themselves having to do it all over again once the HC Plan is made. And since the revised CS should have a 5-year housing land supply, the EGNP would no longer be 'out of date'.

    c. Case law is showing that there is general public interest in NP-led planning decisions even where a NP's policy is 'out of date'. This means that even where CS and NP are out of date, they should still have significant weight in planning application decisions.

    d. This means the PC should continue to respond strongly against applications which do not conform to EGNP policy!