



JPC PLANNING COMMITTEE NOTICE

Venue:

Ordinary Meeting Monday 3rd July 2023

Subject:

Neighbourhood Plan 2011-31 & Plan Development: Retaining Specialist Services

Introduction

The JPC Neighbourhood Development Plan was successfully submitted to Stratford DC on the 31st of May with hard copies delivered on June 1st. We have begun the dialogue with SDC, and we are responding quickly to any issues raised. We need to be ready to respond speedily to the choice and appointment of public examiner when it is offered to us.

The public reception in the town has been unanimously positive but there is a dwindling level of involvement which is to be expected when milestones are reached. The JPC needs to maintain momentum, provide regular public updates and take steps generally to keep interest.

Role of specialist adviser

The JPC Local and Neighbourhood Plan working group will continue to meet over the next few months albeit less frequently. However there is still a need to rely on the advice of our appointed consultant Gary Kirk (YourLocale) and to continue to seek any additional resources which Gary is able to obtain for us. Gary is already communicating with Stratford DC on our behalf. All of Gary's costs to the end of May have been met with grant funding. The later stages of the work may well not be grant eligible in the same way. As it is essential to the town's interest to use Gary's service. We propose to appoint YourLocale on a monthly retainer from June to the end of September at which point we will review the situation again. Gary's original brief is attached, and the continued emphasis will be on ensuring the 2023 version of the NDP is "made" (i.e. Approved) by the end of the year. We will continue to ask YourLocale to bid for any funds which might enable the town to develop its plans and respond to national and local policies effectively and quickly

Recommendation

It is recommended that the services of Gary Kirk/YourLocale are retained for the period June to September 2023 at a monthly fee of £750+VAT, and we continue to search for additional sources of funding to boost our capacity. The Planning Committee and working group will continue to oversee this work and will report to the JPC at every meeting progress to completion of the Plan.

Richard Clark
Planning Committee Chair
June 2023.



Beaundesert and Henley-in-Arden Neighbourhood Plan

Review of current circumstances

Original brief

1. The original brief, as outlined in a letter from the Parish Clerk dated 7 October 2022 was for an advisor to assess the current situation. This was to include 'discussions with the Chair and Clerk of the JPC, local Councillors and the local landowner to establish their current understanding.' The letter went on to state that the work should include 'a review of the key documents and briefings given by the various parties and if necessary, discussions with SWLP to clarify the situation. The recommendations are to include suggestions about public consultation and involvement'.

Agreed work process

2. Following appointment, the process to undertake the work was agreed with the Clerk as follows:
 - a. Meeting with JPC representatives to understand the history of work on the NDP and recent developments leading to the need for the review, including JPC aspirations and expectations.
 - b. Consideration of the adopted Core Strategy and understanding the timescales for the preparation of the South Warwickshire Local Plan and key themes. This will involve a desk-top review and face to face/telephone discussions with staff from the District Council.
 - c. Review of the outcomes from the call for sites and implications for the NP.
 - d. Analysis of the draft NP and evidence base with broad recommendations for how to move forward (i.e., amendments/additions to existing draft or complete re-write) including cost implications.
 - e. Provision of interim report, presented in person to the JPC, on the findings and proposals for the future, including public consultation.

Work undertaken

3. In delivering the brief, a meeting was held with the JPC and a further meeting with the landowner and their agent, the Forward Group. Telephone conversations were held with Planning Policy Officers from Stratford upon Avon District Council and desk-top reviews were held in relation to the adopted Stratford on Avon Core Strategy, the draft Site Allocations Plan, the Issues and Options Consultation draft of the South Warwickshire Local Plan and the Beaudesert and Henley in Arden Neighbourhood Plan.
4. The desk top review of the key strategic documents does not represent a detailed analysis of the respective contents of each document, but is intended to provide an indication of the timescales for delivery and their impact on the progression of the Neighbourhood Plan.

Findings:

Stratford on Avon Core Strategy, 2011-2031

5. This is the key strategic document. The Neighbourhood Plan is required to be in 'general conformity' with this document, and this will only change with the adoption of the new Local Plan, expected in 2025.
6. Henley is identified as a Main Rural Centre along with seven other small towns and large villages. Main Rural Centres are identified as suitable locations for housing and business development.
7. 90 new dwellings are earmarked for Henley through the Core Strategy up to 2031, however, this figure has been met by existing commitments and completions (a total of 100 as at March 2022) as confirmed with Stratford on Avon Planners.
8. The Core Strategy recognises that the designated Green Belt surrounding the town establishes a significant constraint to both residential and commercial development. It identifies other constraints such as the railway line along the western boundary; the Scheduled Ancient Monument and the valley of the River Alne (a flood risk area) to the east; an embankment associated with a disused railway line to the north and extensive playing fields in the ownership of the Secondary School and further education college to the south.
9. The Core Strategy Vision states that by 2031, 'Henley-in-Arden will continue to thrive as a local shopping, service and visitor centre based on the high quality of its built environment, in particular, along its historic High Street. Only limited housing development will have been provided, reflecting the town's character and maintaining the openness of the Green Belt'.

Site Allocation Plan

10. The Site Allocations Plan (SAP) Revised Preferred Options Consultation was issued in June 2022. Further public consultation is being held prior to submission to the Secretary of State for Examination. The document is due for adoption in 2025.
11. The SAP is a 'second tier' plan which sits alongside the Core Strategy to assist with detailed delivery issues.

12. The housing requirement is currently met for the District; therefore, the SAP only identifies reserve sites in the event that existing commitments fail or there is an increase in housing demand.
13. The SAP recognises the relationship between the Green Belt and towns such as Henley that are 'washed' by it. It concludes that it is inappropriate to identify reserve sites which would require development in the Green Belt.
14. For this reason, the SAP does not identify any reserve sites in Henley. It does state, however, that a Green Belt Review is to be undertaken as part of the preparation for the new Local Plan.
15. The SAP addresses the relationship between itself and neighbourhood plans and, critically, and helpfully, states that where a neighbourhood plan has identified sites to meet its housing requirement, the SAP will not identify further sites to allocate. This is a positive statement and demonstrates the willingness of the District Council to support neighbourhood plans that allocate sites themselves to meet their housing requirement.

Housing and Economic Needs Development Assessment (HEDNA)

16. The HEDNA is a well-recognised joint assessment of the need for housing. It assesses the need for housing in Coventry and Warwickshire through to 2050, the timescale for the new Joint Local Plan. The HEDNA will provide the evidence for the housing and economic development requirements across the Plan period.
17. The HEDNA Identifies between 564-868 dwellings per year for Stratford on Avon District but does not take into account the need that Stratford will have to take some, as yet unquantified, unmet need from Birmingham.
18. Types of new residential development including housing mix and affordable housing are identified in broad terms within this report as is the need for commercial development.
19. The HEDNA will be used to evidence the ultimate housing requirement that will be contained in the emerging Joint Local Plan Part 1. The distribution of that housing requirement between parishes in the area covered by the Local Plan is currently the subject of consultation.

Local Plan Part 1

20. The South Warwickshire Local Plan Part 1 will ultimately replace the Stratford Core Strategy. It is a joint Plan between Stratford and Warwick District Councils and is due for adoption in late 2025, although this timescale is likely to slip into 2026.
21. The Issues and Options Consultation seeks comments from stakeholders about where and how new jobs, infrastructure and housing are delivered.
22. Henley is provided as an example of a 'landform analysis' in the consultation document (p 45) which shows the range of constraints on development within a settlement.

23. The joint Local Plan will identify broad strategic locations for growth and will most likely release some Green Belt. Preferred options are not scheduled to be identified until July-October 2023 and adoption planned for November-December 2025.

24. 5 growth options have been identified – no feasibility work has yet been undertaken on any of these options:

- a. Rail corridors – growth focussed around railway stations
- b. Sustainable travel - hybrid of rail and main bus corridors
- c. Economy – growth close to motorway junctions
- d. Sustainable Travel and economy – hybrid of options b) and c)
- e. Dispersed – less development in each settlement but more settlements

25. Henley is mentioned in each option along with wide range of other locations – but the clear message is that no preference for any option is being expressed at this stage. It is likely that the Local Plan Part 1 will include large strategic developments.

Local Plan Part 2

26. This is to be finalised after the Local Plan Part 1 is adopted and will include more localised policies within the broad strategic framework contained within the Local Plan Part1. It is likely that this document will contain residential and commercial allocations to help meet the overall housing requirement

27. Adoption is likely to be in 2026/27.

Key landowner/Forward Group

28. A meeting between the Forward Group representing a landowner in the Parish and the JPC took place on 20 December 2022.

29. The purpose of the meeting was to share aspirations for future housing and business growth in the Parish and associated infrastructure requirements, in the context of the Local Plan Part 1 Issues and Options Consultation.

30. The parties within the meeting shared information about the process to be followed and agreed to continue to share information within a framework of openness and transparency which will, by necessity, include the opportunity for other landowners to become involved as the review of the Neighbourhood Plan progresses.

31. An ambitious and creative vision for Henley up to 2050 was shared. No figures for the volume of housing needed to achieve the vision are yet available but this is a helpful starting point for a conversation about the future housing and commercial development necessary to meet local need and to address the infrastructure concerns that have been expressed.

Neighbourhood Plan

32. The Neighbourhood Plan has been Submitted by the Parish Council but has not been validated by Stratford on Avon District Council because of omissions in the submission documentation.

33. The Neighbourhood Plan has a lot of positives. It is an impressive document in many ways. The introductory sections are informative and the images, maps and figures of high quality.
34. The draft Plan includes a range of policies covering appropriate issues for a neighbourhood plan. However, there are a number of issues that need to be addressed before the Neighbourhood Plan can move forward:
- a. There is an apparent lack of evidence underpinning key policies (such as local green space, views etc).
 - b. There is an absence of core information relating to the process that was followed – consultation analyses, meeting minutes etc.
 - c. On submission to the Local Planning Authority, the Neighbourhood Planning Regulations require the Neighbourhood Plan to be submitted with a Consultation Statement which describes the process undertaken to engage the community and a Basic Conditions Statement which links the policies in the Neighbourhood Plan to the Core Strategy and National Planning Policy Framework. No Basic Conditions Statement has been prepared. The Consultation Statement is considered by the local planning authority to lack sufficient detail.
 - d. The policy wording sometimes lacks clarity and may not achieve the policy intent.
 - e. Since the Neighbourhood Plan was prepared, all Parish Councils (and Local Planning Authorities) have to meet the requirements of the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018. The current Neighbourhood Plan fails to meet these requirements and it is unlikely that Stratford District Council will accept the document as a consequence. A quick accessibility check of the Neighbourhood Plan revealed 340 errors which would need to be addressed. This is not a criticism as the legislation has been introduced subsequent to the Plan being written, but it is an issue that will need to be addressed.

Discussion

35. Concern has been expressed that the Neighbourhood Plan as currently presented is unsuitable as it was prepared when no new housing was required but we are now moving into a period of growth. The Parish Council wishes to take the opportunity to shape development – to say where development goes and what type it is.
36. However, the Adopted Core strategy offers immediate protection from speculative development, as does the extensive Green Belt which surrounds the built-up area. This will remain the case until the new Local plan Part 1 is adopted.
37. The Local Plan Part 1 is at very early stage of development – no preferred growth options have been determined yet and the final housing requirement for the Parish is yet to be identified. This is some way off and it is likely to be a further 12 months at least before the preferred option emerges from the Local Plan Part 1 consultation.
38. It is noted also that you cannot realistically prepare now a new Neighbourhood Plan for the Parish, which includes residential allocations, given the extent of

green belt land restricting development and the absence of a minimum housing requirement from the Local Planning Authority. The new Local Plan Part 1 is at too early a stage in its development to offer any guidance in this matter. It is not possible, therefore, to undertake site allocations through the Neighbourhood Plan at this stage.

Recommendation

39. It is recommended that the Parish Council considers a short-term and a longer-term approach to address the issues raised within this report:
- a. A short-term approach would be to complete the draft Neighbourhood Plan, building on what has been undertaken to date and addressing the issues raised through this exercise. This would allow greater immediate protection in the short-term, ensure that the considerable work undertaken to date is not lost and set a marker for the Parish Council to influence the emerging Local Plan, Parts 1 and 2. Completing the Neighbourhood Plan in this way would afford some additional protection from inappropriate development and help to shape future development until such a time as the housing requirement is known and Green Belt land released to enable future development to take place.
 - b. The longer-term action would involve reviewing the Neighbourhood Plan after it has been Made and once the new housing requirement is known and the Green Belt programmed for release, allocating sites to meet the housing requirement and thereby shaping development locally and determining where any new housing goes and what type of housing it is. The Neighbourhood Plan can also help shape commercial development should it choose to do so.

40. In greater detail, these options would include the following:

Short-term action

41. It is recommended that the Parish Council respond to the Local Plan consultation by asserting its intention to allocate a site through a review of the Neighbourhood Plan once the housing requirement is known and the timescales for the Joint Local Plan confirmed. This should be made known to Planning Officers and support secured for the residential (and commercial?) allocations to be undertaken through the Neighbourhood Plan rather than the Local Plan. A detailed response to the Issues and Options consultation should be made by the Parish, drawing attention to the limitations of consultation and setting out local responses to the options presented.
42. The existing Neighbourhood Plan should be finalised, addressing the immediate issues of concern raised during its preparation and ensuring that correct processes have been followed to enable the draft Plan to be validated by the District Council and to progress to further consultation, Examination and Referendum. It is suggested here that in finalising the Neighbourhood Plan the existing policy areas are retained but not expanded upon to help speed-up the process to conclusion.
43. If the changes made do not impact significantly on the policies themselves and can be shown to have been undertaken in response to the comments made at

Regulation 14, it may not be necessary to re-run Pre-Submission consultation prior to submission to the Local Planning Authority. This approach will need to be discussed and agreed with Stratford on Avon District Council prior to submission to ensure that they have the necessary documents to validate the Neighbourhood Plan once received and that they are content with the approach taken.

44. It will be necessary for the Parish Council to recover as much information relating to the process followed as possible, i.e., meeting notes/minutes; records of any consultation events, confirmation that the draft Plan was sent at Regulation 14 stage to the Consultation Bodies listed in Schedule 1 of the Neighbourhood Plan (General) Regulations 2012 and a record made of all comments received. If this information is not available, it may result in the Local Planning Authority failing to accept the Neighbourhood Plan and Regulation 14 consultation will need to be re-run, which will delay the process.
45. This approach should be communicated to residents and other stakeholders through newsletters/social media etc to explain the process to be followed. The Parish Council might consider having an item on a Parish Council meeting agenda once the way forward is agreed where people who have been involved to date can come to hear what is proposed and offer their involvement in getting the NP over the line. It would be helpful to have an open event to promote awareness of the Neighbourhood Plan and to encourage involvement.
46. This process should enable the revised Neighbourhood Plan to be submitted to Stratford on Avon District Council by late spring 2023. If another Regulation 14 consultation is required, this will extend the period by around 3 months.

Longer-term action

47. It is suggested that a review of the Neighbourhood Plan be considered once the housing requirement for the Parish is known and consideration given to allocating a site or sites for residential development to help meet a local need and to secure the full range of protections available to neighbourhood plans. Any allocation will need to specify the level of infrastructure that will be necessary before the development takes place. It will be up to the JPC, and ultimately the community, to take a view as to the level of development that is acceptable locally balanced against the potential enhancements to the infrastructure and environment locally.
48. The review of the Neighbourhood Plan can consider a wider range of policies and can include a thorough update to the evidence-base and ensure that the regulatory requirements are met in full.
49. Depending on the scope of the review, the updated Neighbourhood Plan should be ready for submission to Stratford on Avon Parish Council within 12 months of being commenced.
50. Full grant funding will be available for the review as with the first Neighbourhood Plan (subject to continued government funding).

Summary and conclusions

51. The existing Stratford on Avon Core Strategy, 2011-2031, is the key strategic planning document for Beaudesert and Henley and will remain so until the new Joint Local Plan Part 1 is adopted – most likely in 2026.

52. Whilst this continues to be the document that shapes development in the Parish, large-scale speculative development is unlikely as the housing requirement for the Parish is already met and the extent of the Green Belt limits development outside of the Built-up Area Boundary.
53. In these circumstances, the draft Neighbourhood Plan, if it can be finalised, submitted and Made by Stratford on Avon District Council, will help to shape further limited development in the short-term.
54. It is therefore recommended that work is undertaken to finalise the Neighbourhood Plan keeping as close to the existing content as possible but strengthening the evidence-base and ensuring that procedural errors are corrected.
55. It will be necessary to engage with the local community to explain the reasons for this and to encourage involvement in finalising the Neighbourhood Plan.
56. The Parish Council should engage fully in the Issues and Options consultation on the Part 1 Local Plan to ensure that the Joint Parish is suitably and accurately represented and that an early indication is given that the JPC intends to review its Neighbourhood Plan at the earliest opportunity and to take responsibility for allocations within the Parish.
57. The JPC should consider an early Review of the Neighbourhood Plan once the housing requirement for the Parish is known and should contribute to any review of the Green Belt to be undertaken through the process of preparing the Joint Local Plan Part 1.
58. This two-stage approach will enable the JPC to secure additional protections in the short-term and to fully shape development in the longer-term and ultimately enjoy the full range of protections available to neighbourhood plans.

Gary Kirk

December 2022