

Future of Neighbourhood Planning in Wiltshire

20 April 2021

Agenda

- Introduction
- Development management update - major residential proposals
- Neighbourhood plan review process & timescales
- Planning policy update:
 - Local Plan
 - Planning White Paper
- Discussion

Development management update on major residential proposals

- Shortfall against 5 year housing land supply since April 2020, currently 4.56 years
- Despite this, applications continue to be determined according to their merits with sustainability and policies remaining at the heart of decision making
- More applications outside of settlement boundaries have been refused than approved
- Continue to push for delivery of homes on sites allocated in Wiltshire Core Strategy and Site Allocations Plans to ensure delivery of homes in right places

Reviewing neighbourhood plans

- Extent of review depends on plan
- Scoping nature of review important - modifications to potentially address...
 - Effectiveness of policies
 - Changes to national and local policy
 - Local circumstances
- Process generally similar to first plan where modifications ‘material’
- ‘Material modification’ - does not change nature of plan = no referendum
- ‘Material modification’ - changes nature of plan (substantial modification) = referendum
- Examiner decides whether referendum required

Material modifications

- “Parish Council now wish to revise a single policy of the Plan; this is Policy B11, which deals with carparking standards. I am in agreement with both the Local Planning Authority and the Parish Council that this proposal, while a “material” one in terms of the legislation, **would not be so significant or substantial as to change the nature of the Plan**” (Examiner, Branston Neighbourhood Plan, 2019)
- Similar conclusion by Brancaster Neighbourhood Plan Examiner (Jan 2021), no referendum because:
 - “ the policies largely repeat those in the ‘made’ Plan; and the modifications in the Review bring the Plan up to date to reflect changes in national and local planning policy.”

Material modifications

- “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.**” (Planning practice guidance)
- Chinnor Neighbourhood Plan Review (2020), substantial modifications requiring referendum:
 - new policy allocating five sites for housing developments;
 - development boundary around village in new policy;
 - reworded policies to make clearer and more precise; and factual changes.
- Limited case studies, legal advice being prepared

Timescales

- Depends on plan, nature of review and Qualifying Body (QB) ambition

First phase - QB led:

- Scoping review and developing draft modifications to plan
- Consultation by QB (Regulation 14) = 6 weeks
- Analysis of consultation response, finalising draft modifications, preparing for submission to Local Planning Authority

Second phase - LPA led (if all goes to plan!):

- Approx. 30 weeks (Reg 16 consultation - modified plan), with referendum
- Without referendum approx. 10 weeks less

Local Plan update

- Consultation completed March 2021
- Significant response:
 - Over 3,500 representations on different documents (and counting!)
- Currently analysing representations received
- Report to Cabinet on main issues Summer
- Aim to produce draft Plan by end of year
- Public consultation, Examination, Adoption 2023

National policy changes

- Planning White Paper
Over 40,000 responses

“The Planning for the Future White Paper consultation closed in October. The White Paper sets out proposals to deliver a significantly simpler, faster and more predictable system. **These proposals will need further development.** Authorities should not use this period as a reason to delay plan-making activities. Authorities who have an up-to-date plan in place will be in the best possible position to adapt to the new plan-making system.”

Christopher Pincher, Minister of State for Housing
(19 January 2021)

National policy changes

- Changes to the Planning System

Dec 2020 [Government response to the local housing need proposals in “Changes to the current planning system” - GOV.UK \(www.gov.uk\)](#)

Apr 2020 [Government response to the First Homes proposals in "Changes to the current planning system" - GOV.UK \(www.gov.uk\)](#)

- In Wiltshire, no change to standard method to assess minimum housing need
- No change to affordable housing threshold
- Written Ministerial Statement to introduce national policy on ‘First Homes’
- Other changes ahead of full reforms e.g. emphasis on design, National Design Code
- Incremental roll-out of further changes?

Discussion