

Great Glen Neighbourhood Plan Review May 2019

Consideration of Minor (non-material)/Major (material) updates to the Made Great Glen Neighbourhood Plan (27 November 2017)

1 Changes in Planning Policy

The Great Glen Neighbourhood Plan passed Referendum on 23 November 2017 with an 89% vote in favour on a turnout of 29%.

The Harborough Local Plan has now been formally adopted (April 30th 2019) and the new National Planning Policy Framework (2019) (NPPF) is in force. There are clear benefits for any Neighbourhood Plan that commits to allocating housing sites.

Great Glen Parish Council as the Qualifying Body (QB) considered that the Great Glen Neighbourhood Plan should be formally reviewed to ensure that it remains up to date, relevant and shapes development within the Parish up to 2031 to be in accordance with the timescale for the Harborough Local Plan.

The QB took the opportunity to look again at the allocation of housing sites. The revised Neighbourhood Plan allocates a site for residential development and includes a number of environmental protections to better reflect the importance of the countryside and open spaces locally. The QB has included some new policies whilst others have a strengthened evidence base.

The QB has amended policies that it considered would now not meet the tests of General Conformity when considered against the Local Plan or NPPF.

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

The QB submitted the following documents to the Local Planning Authority (LPA) for the review of the Neighbourhood Plan:

- Updated Statement of Basic Conditions
- Census data from 2011
- Land Registry data
- Housing Needs Report
- Updated Site Assessment Summary
- Historic Site list
- Updated Environmental Inventory

- Updated Local Green Space assessment
- 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 Changes to the Great Glen Neighbourhood Plan

The made Great Glen Neighbourhood Plan is for the period 2011-2031 which is in alignment with the Local Plan.

The Core Strategy retained the 2001 Harborough District Local Plan policy defining Limits to Development (HS/8) for selected settlements, including Great Glen. However, the 2019 Harborough Local Plan does not define Limits to Development for any settlements. The Great Glen Neighbourhood Plan has reinstated a settlement boundary in order to control development over the Plan period and to reinforce the different approach to development within and outside of the redline boundary.

During the course of the preparation of the original Neighbourhood Plan, and alongside the evolution of the new Local Plan, the housing requirement for Great Glen fluctuated.

The submission version of the Local Plan stated that a further 35 dwellings were required in Great Glen up to 2031. By September 2018, a total of 274 dwellings had achieved a planning approval. As a result of completions since 2011 and outstanding commitments, there is no outstanding residual requirement for Great Glen in the period to 2031 set out in the adopted Local Plan policy H1.

Revisions to the National Planning Policy Framework (NPPF) in August 2018 and February 2019 have made it prudent for the QB to review the Neighbourhood Plan.

Paragraph 14 of the NPPF 2019 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 Great Glen 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 November 2017

Changes to Great Glen Plan	QB view	LPA view
<p>NEW POLICY GG1: Residential site allocation – this policy allocates a site for residential development following an updating of the Site Sustainability Analysis.</p>	<p>This has been included following an uplift to the housing target for Great Glen as set by Harborough District Council as part of the evidence supplied in support of the emerging Local Plan. This is considered to be a Material change not requiring a referendum in view of the low level of housing allocated in relation to the extent of development that has taken place in the Parish over recent years.</p>	<p>The ‘made’ Plan did not allocate housing sites. The inclusion of an allocated site for development fundamentally changes the nature of the Plan with regard to this policy and in the opinion of the LPA requires an examination and referendum</p>
<p>NEW POLICY GG2: Settlement Boundary – following the removal of the Limits to Development with the new Harborough Local Plan,</p>	<p>The opportunity has been taken to retain and update the Settlement Boundary for Great Glen to incorporate recent planning approvals, the housing allocation through the Neighbourhood Plan and to distinguish between the different approaches to development within the built-up area and the countryside. This is considered to be a Material change not requiring a referendum as it is part of an overall desire to shape development in line with local need and does not impact on the overall scale of development.</p>	<p>This change is an update of the previous ‘made’ policy. It is a material change that is considered to require an examination but not a referendum</p>

POLICY GG3: Housing Provision Windfall Sites	the same as Made NP policy GG1.	Agreed
POLICY GG4: Housing Mix	the same as Made NP policy GG2	Agreed
POLICY GG5: Affordable Housing	the same as Made NP policy GG3	Agreed
POLICY GG6: Design Quality	the same as Made NP policy GG4	Agreed
POLICY GG7: Local Heritage Assets	the same as Made NP policy GG5	Agreed
POLICY GG8: Employment and Business Development	the same as Made NP policy GG6	Agreed
POLICY GG9: Shops	the same as Made NP policy GG7	Agreed
POLICY GG10: Community Buildings and Facilities	the only change to Made NP policy GG8 is the replacement of 'Proposals to enhance the provision of community buildings to meet local needs will be viewed positively' with 'Proposals to enhance the provision of community buildings to meet local needs will be supported'. This is considered to be a non-Material change.	This considered by the LPA to be a non material change
POLICY GG11: Assets of Community value	the same as Made NP policy GG9	Agreed
POLICY GG12: Designation of Local Green Spaces	site GG/LGS/02 St Cuthbert's churchyard added following revised field survey and updated environmental inventory. Two	This amendment is considered by the LPA to be a material modifications which do not change the nature of the plan and

	<p>further sites designated as LGS by Harborough DC have also been added for completeness. Policy wording remains unchanged from that in the Made NP policy GG10. This is considered to be a Material change not requiring a referendum reflecting updated evidence</p>	<p>requires examination but does not require a referendum</p>
<p>POLICY GG13: Ridge and furrow - Figure 6: maps showing evidence for loss of ridge and furrow (rationale for protection</p>	<p>Figure 7 showing survey results, both updated along with text and statistics. Policy wording remains unchanged from made NP policy GG11. This is considered to be a Material change not requiring a referendum as it reflects minor changes based on updated evidence.</p>	<p>This amendment is considered by the LPA to be a material modification which does not change the nature of the plan and does not require a referendum</p>
<p>POLICY GG14: Important Open Space (was Public Open Spaces in Made NP policy GG12) list of sites amended to correspond with HDC Local Plan OSSR allocations (technical correction and update);</p>	<p>Additional sites added (new environmental inventory results), mapping updated. This considered to be a non-Material change promoting conformity with the Harborough Local Plan</p>	<p>This amendment is considered by the LPA to be a material modification which does not change the nature of the plan and does not require a referendum</p>
<p>POLICY GG15: Biodiversity and Wildlife Corridors - Policy heading amended from Made NP policy GG13 to include wildlife corridors to better reflect the policy itself and policy amended to include additional wildlife corridor (new environmental inventory results</p>	<p>New development conditions for bat conservation added (to incorporate new best practice). Figure 7: new map to show two wildlife corridors and the key biodiversity habitat sites for which they provide connectivity (new environmental inventory results, additional key habitat areas; new best practice in respect of</p>	<p>This amendment is considered by the LPA to be a material modifications which do not change the nature of the plan and does not require a referendum</p>

<p>including the recent development of the Great Glen Crematorium).</p>	<p>planning for habitat connectivity); This is considered to be a Material change not requiring a referendum strengthening the policy in light of additional evidence.</p>	
<p>POLICY GG16: Important trees and hedges</p>	<p>The same as Made NP policy GG14.</p>	<p>Agreed</p>
<p>NEW POLICY GG17: Historic Landscape Character Area - Introduced as a consequence of new environmental inventory results, including re-evaluation of historic features, ridge and furrow, and recognition of the importance of the setting of St Cuthbert's Church.</p>	<p>This is considered to be a Material change not requiring a referendum as it provides an opportunity to balance the benefit of development against the harm it would create.</p>	<p>This amendment is considered by the LPA to be a material modification which does not change the nature of the plan and does not require a referendum</p>
<p>POLICY GG18: Footpaths and Cycleways</p>	<p>The policy adds the following text to Made NP policy GG15 'Further opportunities to achieve an enhancement of the present network of footpaths and cycle ways will be pursued, especially the following routes as indicated in figure 13' as an aspirational element. Additional footpaths added following community consultation. This is considered to be a Material change not requiring a referendum further supporting the maintenance and, where possible, extension of the footpath and cycleway network.</p>	<p>This amendment is considered by the LPA to be a material modification which does not change the nature of the plan and does not require a referendum</p>

NEW POLICY GG19: Important views and skylines	To reflect new community consultation results and new environmental inventory results. This is considered to be a Material change not requiring a referendum change helping to shape development.	This amendment is considered by the LPA to be a material modification which do not change the nature of the plan and does not require a referendum
POLICY GG20: Energy Efficiency	The same as Made NP policy GG16.	Agreed
POLICY GG21: Residential Parking	The same as Made NP policy GG14 except for the title saying 'Residential Parking' rather than 'Parking' to reflect the nature of the policy and to differentiate it from policy GG22. The words 'where appropriate' have been omitted. This is considered to be a non-Material change.	This amendment is considered by the LPA to be a material modification which do not change the nature of the plan and does not require a referendum
POLICY GG22: Public Parking Development	The same as Made NP policy GG18.	Agreed
POLICY GG23: Access design for new development	The same as Made NP policy GG19.	Agreed
POLICY GG24: Traffic Impact	The same as Made NP policy GG20.	Agreed

4 Nature of the Changes

The Council Executive has given delegated authority to officers to issue a statement to the Examiner on the modifications in the Review of the Neighbourhood Plan under the Scheme of Delegation approved on 1st July 2019. This statement considers whether the changes represent Material or Non-Material amendments to the ‘made’ Neighbourhood Plan.

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.

Given the assessment in section 2 above Harborough District Council takes the view that overall the changes are material modifications that require an Examination and Referendum.

5 Reasons for Decision

The ‘made’ Neighbourhood Plan does not allocate sites for development as defined in the Planning Practice Guidance, which states:

The site being allocated should be shown on the policies map with a clear site boundary drawn on an Ordnance Survey base map. A policy in the plan will need to set out the proposed land uses on the site, an indication of the quantum of development appropriate for the site and any appropriate design principles that the community wishes to establish.

Paragraph: 098 Reference ID: 41-098-20190509

The revised Neighbourhood Plan seeks to allocate a housing site for 10 dwellings as part of Policy GG1. The allocated site is made in accordance with paragraph 098 of the PPG as set out above. The Council considers that a site of 10 dwellings is significant,

given that it falls within the NPPF's definition of major development and that the 'made' Neighbourhood Plan does not allocate sites for housing. Therefore the inclusion of this site allocation is a change which the Local Planning Authority considers fundamentally changes the nature and complexity of the Plan and will necessitate an examination and referendum.

Signed

David Atkinson
Head of Planning and Regeneration

Date