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## The Emerging New Local Plan and the Relationship with Neighbourhood Plans - Update

### **Report summary:**

This paper reports back on actions agreed at Strategic Planning Committee on 22<sup>nd</sup> June 2021 further to the report of the same title. This relates to progress in researching the content of neighbourhood plans and a proposed Communications Plan to be used to manage consultation and engagement with Neighbourhood Planning communities. Both of which are to be used to inform the development of the new Local Plan. The report also takes the opportunity to update members on developments in neighbourhood planning since the June paper was discussed.

### **Is the proposed decision in accordance with:**

Budget Yes  No

Policy Framework Yes  No

### **Recommendation:**

- (1) That Committee note the development of a database of neighbourhood plan policies and its use as a means of reviewing and analysing our suite of made and emerging neighbourhood plans and advise of any particular topic area or questions they wish to see investigated using this new tool to inform the development of the new Local Plan.
- (2) That Committee consider, comment on and recommend the use of the proposed Communications Plan for engagement with neighbourhood planning groups throughout the process to develop the new Local Plan, and advise if and how members should be directly involved.

### **Reason for recommendation:**

To assist with discharging our statutory duty as Local Planning Authority to assist communities in the preparation and modification of neighbourhood development plans, including to consider the relationship between the emerging Local Plan, emerging neighbourhood plans, and the adopted development plan. In particular, to inform work and resource planning throughout the development of the new Local Plan in respect of the extent and type of engagement with neighbourhood planning bodies/groups.

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### Portfolio(s) (check which apply):

- Climate Action and Emergencies  
 Coast, Country and Environment

- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

### **Equalities impact** Low Impact

### **Climate change** Low Impact

**Risk:** Medium Risk; As per the previous linked SPC report, there are reputational risks for the Council arising from potential damage to the trust/relationship that has been built between the District Council and our neighbourhood planning communities over many years through our support for neighbourhood planning, if the Council does not, and/or is not seen to, be giving neighbourhood plans due regard in the development of the new Local Plan. There are also risks relating to the ability of communities to make plans which influence and guide development in their areas and to the value of those in future decision making if the relationship between the new Local Plan and neighbourhood plans is not clear.

**Links to background information** [The Localism Act; Plain English Guide to the Localism Act](#); [National Planning Policy Framework \(2021\)](#); [National Model Design Code](#); [National Planning Practice Guidance on Neighbourhood Planning \(2020\)](#); [Neighbourhood Planning Regulations](#); [Neighbourhood Planning Roadmap Guide](#); [East Devon Neighbourhood Planning webpages](#); [June 2021 Strategic Planning Committee Paper on Neighbourhood Planning \(see pages 156 – 169\)](#); [Neighbourhood Planning July Update](#); [Neighbourhood Plan database – working draft](#)

### **Link to Council Plan:**

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

### **Report in full**

## **1. Update on Neighbourhood Planning Activity and the Changing National Picture**

1.1 Neighbourhood planning continues to be very active in the district. Since the last report to this Committee in June, a further three Neighbourhood Plans have been made (adopted), and two more have proceeded to independent examination. Several neighbourhood plans are also likely to be formally submitted to East Devon District Council before the end of the calendar year, having completed formal ('Regulation 14') stage consultation. In addition, there has been interest expressed from a couple of communities who have not previously embarked on a neighbourhood plan to starting this process.

1.2 There have also been changes in the national framework within which neighbourhood planning operates, with an updated National Planning Policy Framework (NPPF) and the launch of the National Model Design Code in July. This has re-affirmed, and added to, the

role of, and expectation on, neighbourhood plans/neighbourhood planning groups. Specifically, neighbourhood planning is to now give “particular” consideration to allocating small and medium sized sites suitable for housing in their area, and to take an active role in the development of design codes to improve design quality. This is another change in circumstances for our neighbourhood planning communities, in addition to the preparation of a new Local Plan, and with the Planning Bill expected to bring in further changes to the planning system in the autumn. Support is clearly needed from the District Council to assist communities to consider and respond as the situation evolves, to ensure the on-going relevance of our neighbourhood plans.

## **2. Relationship with work on the emerging new Local Plan**

- 2.1 As reported regularly to this Committee, work has continued to progress on evidence gathering for the emerging new Local Plan. At the same time, it has been established through recent independent examinations on neighbourhood plans, that the emerging Local Plan is still at too early a stage for it to be considered in any meaningful way by the Examiner, beyond acknowledging that the work is underway.
- 2.2 Neighbourhood plans therefore continue to be tested entirely for conformity with the adopted East Devon Local Plan 2013-2031. However, as the evidence base for the new Local Plan emerges and the draft strategy becomes clearer, there will increasingly need to be a consideration of the relationship. The June 2021 Committee paper (see Background Papers) provided a detailed explanation of the relationship between neighbourhood plans and the adopted and emerging local plan.
- 2.3 The Planning Policy team, through our dedicated Neighbourhood Planning Officer, is seeking to communicate with all communities engaged in neighbourhood planning regarding the work on the new local plan. Further to the feedback received to the Local Plan Issues and Options consultation and the discussion held with neighbourhood planning communities via Zoom in May, they have been primarily kept informed by email, sent to parish clerks and neighbourhood planning steering group leads. The [July update](#), for example, outlined current work areas and opportunities to contribute, as well as advising of other related matters relevant to neighbourhood planning more generally, including the updated NPPF.
- 2.4 There have been limited opportunities so far to participate as the Local Plan work is at an early stage. However, just recently, we have encouraged our neighbourhood planning communities to engage in an exercise to check the data we hold on the existence of local community facilities and services. This was further to the July SPC paper on the Role and Function of Settlements.
- 2.5 Overall, there is a recognition from the previous discussion at June Committee and feedback from neighbourhood planning communities, that further engagement with our neighbourhood planning communities and a clear understanding of their aspirations as expressed through neighbourhood plans is important. To this end, work has progressed to develop both a database of all neighbourhood plan policies and a draft Communications Plan for managing communication with neighbourhood planning communities throughout the Local Plan preparation.

## **3. Research into our Neighbourhood Plans**

- 3.1 New staff within the planning policy team have led work on the development of a new [interactive database](#) containing a headline policy summary, by theme, of all twenty-three ‘made’ neighbourhood plans in the district, and a tab for each plan, containing the full

wording of all policies they contain. The database can be interrogated quickly and simply to identify policies across all neighbourhood plans relating to particular matters. This has multiple uses and audiences.

3.2 The primary intended use of the new database is to aid drawing on, and taking account, of what our neighbourhood plans say, in the development of the new Local Plan. Specifically:

- (a) to facilitate and inform evidence gathering and shaping of policy across topic work for the new Local Plan;
- (b) assisting in early identification of potential conflicts between our made neighbourhood plans and our emerging Local Plan, and;
- (c) facilitating identification of areas where neighbourhood plans might be plugging gaps in current Local Plan policy.

3.3 The tool is also expected to be useful for those engaged in neighbourhood planning, potential developers and decision makers. Neighbourhood planning contacts have been asked to check the content of the database for accuracy and subject to any alterations required or concerns raised by SPC, it is proposed that the tool be made available publically via the neighbourhood planning pages of our website.

3.4 It is recognised that there are some limitations in the database:

- (a) the policies contained in neighbourhood plans in isolation do not give the full flavour of the intent of these plans or the wishes of the community.
- (b) There are many more policies in advanced emerging neighbourhood plans that are not currently included and will need to be given due consideration.

3.5 To address these matters, the database provide links to the full neighbourhood plan documents for more information, and it is planned to add the policy content from emerging plans in the near future, as a further phase of the work. In addition, work is underway simultaneously to increase the degree to which content of neighbourhood plans is available to planning policy (and development management) officers available on the Council's mapping system. Alongside this, work to collate and analyse neighbourhood plan visions, aims and objectives is also in progress.

3.6 Early headlines from the interrogation of the neighbourhood planning database have found that:

(a) **Policies within plans fit into these broad themes:** Environmental (including landscape); Housing; Economy/Employment; Infrastructure; Accessibility & Transportation; Community & Health, and; Design & Heritage. A few plans cover other topics specific to their local circumstance e.g. Beer NP has a chapter on maritime.

(b) **Common topics for policies include:**

- i. Support for smaller homes (1 to 3 bedroom maximum) (including to support affordable homes for young people, adaptable local homes for older people wishing to downsize);
- ii. Support for small scale housing development (typically no more than 10 dwellings);
- iii. Extensive policies related to ensuring sufficient car parking provision (particularly off-road);
- iv. Protection and enhancement of rights of way (walking & cycling routes) to increase accessibility;

- v. Protecting and enhancement of community facilities (including recreational facilities),
- vi. Protection, and where possible enhancement, of the environment, particularly in respect of trees and landscape setting, and;
- vii. Securing infrastructure to ensure provision/better internet connectivity.

- (c) **Opportunity to designate Local Green Spaces (LGS):** Offered through the NPPF, this has been taken up in many areas. LGS adds to the green spaces protected by national or local designations and is currently found in 14 made/nearly made plans.
- (d) **Nature of plans –** whilst the majority of plans are generally protectionist in nature, there are 4 plans which have allocated sites for housing, and others supporting limited development to that provided for in the Local Plan, such as within gardens. There are also a number of emerging plans likely to do similar.
- 3.7 It is intended that the database remains a live tool, updated as new plans are made, and which will be used in both a proactive and reactive way to inform the user what neighbourhood plans say.

#### **4. Communication and Engagement with Neighbourhood Planning Communities**

- 4.1 Members should be aware that there is limited time available for extensive engagement with neighbourhood planning groups within the current Local Plan timetable (beyond the statutory consultation), due to the aim to secure adoption of the new Plan at the earliest possible date. However, it is considered that there are opportunities to undertake some meaningful engagement, alongside regular communication to keep our neighbourhood planning groups well informed of the emerging Local Plan work.
- 4.2 It should also be recognised that, as made neighbourhood plans form part of the statutory development plan, the onus is on us to a large extent to consider the impact on and relationship with neighbourhood plans throughout, and use professional judgement in seeking to balance any competing requirements. The database outlined above is one tool we can use to seek to do this. We also intend including a section in each Strategic Planning Committee paper related to the emerging Local Plan on ‘implications for neighbourhood plans’ as standard from now onwards. This will help ensure the matter is considered in every aspect and at every stage of plan preparation.
- 4.3 It is important to recognise that in the vast majority of subject areas under the Local Plan, there is an interest/stake by all communities, not only those who have so far/intend to engage in neighbourhood planning. Therefore any communication and engagement needs to be considered in this wider context. For example, the call for communities to check and verify the information we hold on community facilities went out to all Parish Council’s, but was also shared separately with all neighbourhood planning groups, to make them aware and enable them to feed into this. Similarly, events/webinars organised further to the implementation of the proposed Communications Plan for Neighbourhood Planning may in some cases be appropriate to be widened out to town and parish councils across the district.
- 4.4 Furthermore, whilst the content of the emerging new Local Plan as a whole is relevant to neighbourhood planning, it is particularly matters to do with the distribution and type of development that are of most interest and concern at the community level, and it follows that these areas should be the focus of our efforts. In planning communication and

engagement with neighbourhood planning groups, it is also important to take account of the fact they are primarily led by volunteers and their time is limited and valuable.

- 4.5 As well as on-going communication through various means (email, newsletters, website updates) led by our Neighbourhood Planning Officer, you will see that the Communications Plan proposes approximately quarterly webinars, from the autumn (most likely around October/November this year) – including but not limited to those engaged in neighbourhood planning. It is proposed that the first be focussed on the topic of settlement boundaries and hierarchy. It is envisaged that a further webinar could take place in January regarding the draft plan, with additional engagement as required perhaps through focus groups or discussions with individual neighbourhood plan communities most affected, in the work between January and March next year to finalise the consultation draft. During the live consultation (May/June 2022), as well as promoting the opportunity to respond direct to neighbourhood planning groups, a further webinar could be held to present the plan and hold a ‘Q&A’ session, with the intention of facilitating neighbourhood planning communities in considering and responding to it.
- 4.6 Reports back to Strategic Planning Committee would be made at appropriate points throughout. It is also proposed that communication and engagement be monitored and evaluated regularly to assess its reach and effectiveness, and this, together with the evolving Local Plan work programme and timeline, Strategic Planning Committee discussions, and objectives of the Communications Plan, would be used to plan appropriate activity going forward through to post-adoption of the new Local Plan. In any case, a webinar once a quarter is proposed as a reasonable target and an appropriate interval to provide/offer meaningful updates and discussions.
- 4.7 Members views on the proposed Communications Plan as a whole to inform a final version to be implemented by the Planning Policy team (within existing resources) as the work on the emerging Local Plan progresses are sought.

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### **Financial implications:**

Central Government funding is available for Neighbourhood plans. This income covers not only examination fees but also all other associated costs such as employment and all other supplies and services. Any residual funds are placed into an earmarked reserve and utilised to cover funding gaps in subsequent years.

### **Legal implications:**

There are no legal implications other than as set out within the report.