

WIDFORD PARISH COUNCIL

Notes of Public Neighbourhood Plan Meeting Thursday 12th January 2017 held at 7.30pm in the Village Hall

PRESENT: Cllr Jill Buck, Chairman (JB); Cllr Babs Edwards (BE); Cllr Paul Riddle (PR)
Laura Pattison (LP), EHC Senior Planning Policy Officer
32 members of the public
Notes taken by Colin Marks, Clerk to the Parish Council

1 The Parish Council Chairman opened the meeting at 7.30pm.

Cllr Jill Buck thanked everyone for coming out on such a cold and snowy night. She emphasised that this was not a Parish Council Meeting; the Council we just acting as the host to the village.

The following apologies for absence had been received: Lorraine Hart, Independent Consultant and Director of Community Land Use, London (due to snow on the motorway from London); Cllr G Parcell; Cllr C Blackett; Lady Anne Parker.

Attendees were referred to the agenda, which set out the running order for the evening. The aim was to make the meeting a useful and informative space, with ample time for concerns and questions, but also emphasised that the intention was to keep the meeting focussed on the subject in hand. At the end of the meeting, there would be light refreshments, giving everyone the opportunity for anyone with further questions to have time with the speaker.

The context of the meeting: The idea of Neighbourhood Plans was introduced by the then Government as part of its decentralisation measures announce through the 2011 Localism Act. The idea was to give individual communities the right to shape the development in their own area through the production of a Neighbourhood Plan that would set out residents' vision for their community and their future hopes for the use and development of land.

A Neighbourhood Plan is community led, not parish council led, although parish council involvement is essential. Widford Parish Council has been talking about this for at least four years as we have tried to raise interest from village residents. We held our very first open meeting to discuss this shortly after the completion of our successful Parish Survey, compiled by Dr Ian Brett, Adrian Evans and Rosie Wignall. (This survey is still available on the village website).

The Neighbourhood Plan has been raised for discussion on every Parish Council agenda since July 2015.

The Council's position is that it does not want the village to stagnate and it welcomes truly affordable houses for young families and the elderly; but developers seem only to want to build larger more profitable 4 and 5 bedroomed residences at the higher end of the market. Meanwhile, our village boundaries are being eroded, as reported in the local press. Everyone present will be aware of the planning developments that have seemed to engulf the village in the last two years due to the 2007 EHDC Plan being largely unenforceable.

Hence there is the need tonight to finally decide whether to produce a Neighbourhood Plan. What can we do? Do you want to preserve our community? Bering in mind also that the Garden Village development of 10,000 houses at Gilston Park will have an undeniable effect on our way of life in the coming years. A Neighbourhood Plan will cost time and money, but the decision is entirely in your hands.

2 Laura Pattison, EHC Senior Planning Policy Officer, addressed the meeting.

Regulations were published in 2012 following the 2011 Localism Act. The NPPF and National Policy Guidelines set out the procedures. In December 2014, EHC published its own Neighbourhood Planning Guidance Note to set out its own procedures. The NPPF establishes national policies; the EHC 2007 Local Plan is soon to be replaced by the emerging District Plan that will be effective up to 2033. Neighbourhood Plans create an optional Tier at local level.

A Neighbourhood Plan sets out local requirements relating to design, facilities, parking, transport and spacial levels. Once adopted, it becomes statutory, but since it is an optional planning tier, it will be subject to the monitoring framework of EHC that determines whether sufficient development is coming forward and which will trigger action to ensure delivery targets are met by allocating housing sites. All NPs must conform to both

the District Plan and the NPPF and cannot be used to stop development.

The Parish Council is the qualifying body and is therefore central to a Plan being accepted. A steering group, comprising as wide a range of the community as possible, produces the document, but it must be supported totally by the Parish Council who has the responsibility of submitting it. A NP may be produced by an individual community, or it may join with adjacent parishes or towns to produce a joint Plan.

Once the District Council agrees, the process begins. A neighbourhood survey is undertaken to establish community needs and priorities. A Plan must have local support and it will eventually be the subject of a referendum.

The first stage is a public consultation document for all households prepared by the PC. The NP is developed from that with all the necessary supporting evidence. The Plan need to be as succinct as possible and to focus on the relevant issues. That is eventually submitted to EHC for scrutiny and another 6-week public consultation. Once approved, it is then submitted to an independent examiner to assess whether it meets the necessary criteria and the basic conditions. If Widford were to start a Plan now, it would almost certainly be subject to the emerging District Plan that will be in force by then. Once passed, it then proceeds to the referendum which, for acceptance, must result in a majority of those voting being in favour.

EHC will deal with area designation, will help as required during the process, and will pay, via a grant, for both the examiner and for the referendum. The Parish Council pays for the rest, although grant funding of up to £9,000 is available from Locality. The grant is supplied in tranches and funds are applied for as needed within the next 6-month period. Funding can be used for a website, household surveys, engaging a consultant, printing, etc. Other parish councils that have, or are producing, a Plan can be helpful in identifying how they approached it and why they opted to expend the time and effort.

It is essential that a Neighbourhood Plan conforms to the emerging District Plan and positively supports the strategic needs set out therein. There is an overall housing requirement for villages of at least 500 houses, but this will be reviewed in 2022 and 2027 to see if targets are being met.

Village boundaries will be established in the new District Plan and these may be amended. A line around the main built up area does not mean building outside the boundary will be rejected, but it does mean that development proposed inside the boundary will probably be approved. As a result of the consultation comments made concerning an amendment to Widford's boundary, EHC approve those suggestions and they will probably be done as a modification in the submission made to the Planning Inspectorate. The boundary question is therefore best addressed through the District Plan rather than a single-policy Neighbourhood Plan.

3 Lorraine Hart, independent consultant. Unable to attend, as announced in the apologies earlier.

4 Q & A session

- A parishioner commented that the key points seem to be that a Neighbourhood Plan is subservient to the District Plan, which is in turn subservient to the NPPF.

LP responded that this is true, but there are nevertheless times when a Plan could go against policy, and cited the examples of the threshold for social housing being raised, and the parking standards being successfully challenged due to rural location with very limited public transport. Supporting evidence of why the policy should not be followed would be essential.

- A parishioner said the village boundary did not appear to ensure anything.

LP replied that is the case – the NPPF established a presumption in favour of sustainable development. However, EHC is hopeful that currently defined boundaries will be honoured because it is confident the 18,000 district target can be met without changing any of those boundaries. However, things can change and the examiner may overrule in favour of development. East Herts is looking to retain the character of the villages.

- A parishioner countered that Gilston appears to contradict that.

LP responded that Gilston is quite different because it represents a site that enables EHC to meet its obligation set within the national target.

- A parishioner then asked whether the village should spend the money and produce a plan?

PR answered saying there will be a point where we will know whether the boundaries are secure and that

it won't be worth doing a Plan if the boundary can be breached.

LP added that a Government Housing White Paper is due out this month that may radically change some of the rules/targets. It should be clear by September whether that will result in legislation that will impact the District Plan. However, District Plans that have reached examination will probably continue through based on policies in force at the time. It is possible that the methodology determining how housing needs are met may change.

- A parishioner raised the question of timing and whether the village should start to spend money to prepare a Plan that could take time. It was proposed that it's possible that by the time the District Plan is published, the population of the village will have increased from 200 to as much as 270.

LP replied that the District Plan goes up to 2033. The villages' 500 houses target is counted from development completed as at 1 April 2017. Development Management decisions are made based on policies in force at the time. She noted that most schemes have an element of local objections. Regarding the benefits vs disbenefits of development, an increase in housing stock is a benefit.

- Another parishioner observed that a single policy Plan focussed on solely on the boundary is not worth pursuing. The cost of a Plan was raised.

PR said the idea of a village boundary is to make the built area secure. He said he was very pleased to hear that EHC has agreed to the boundary suggestions that were made in the pre-submission consultation comments. The consensus for the average cost of a Plan is £15,000.

LP added that £15k is an average, but that's entirely dependent upon how broad the Plan is, how many policies are included and, crucially, whether an independent consultant is engaged. Some Plans exceed £20k. She also noted that current funding is for the period 2015 to 2018 and that there is no guarantee of funding beyond 2018, although it is very probable that in the present climate it will continue.

- A parishioner noted that out of the houses currently going through, the majority are very expensive and that approved applications subsequently drop the affordable housing element.

LP responded that any Neighbourhood Plan that attempted to set out a policy of, say, no houses larger than 3-bedroom would fail examination. However, evidence within a Plan – eg, from a comprehensive parishioner survey could determine preference. The emerging District Plan sets out the type and balance of housing in percentage terms. However, it is recognised that some sites cannot meet the policy criteria. The current saved policies of the 2007 Plan do not include any policies regarding the size of houses within a development. As to how robust a consultation preference would prove to be, that would depend upon the impact of the policy vs the detail of an individual development scheme.

- A parishioner commented that the prospect doesn't look a very robust.

LP said it would be in the lap of Development Management and ultimately the Planning Inspector if a decision were to go to appeal. The emerging Plan will be much stronger in policy terms than the 2007 Plan that is still in place. However, in, say, 10 years' time the new policies will not be as robust as when they are first produced. Referring to an earlier point she noted that consultants can be very expensive and sometimes represent the largest single item of cost.

- A parishioner observed that costs awarded against EHC following appeal to pay for what was adjudged to have been an unreasonable refusal were extremely high and it was questioned whether the fear of expensive litigation played a part in Development Management's decision processes. The parishioner said they had sympathy with East Herts on this.

LP said she did not believe decisions were influenced by such fears but were made impartially on the interpretation and application of current planning policies. She pointed out that not all appeal cases were successful.

- A parishioner asked whether economic pressures might result in reverting back to a former policy of taxing land values and what the current view is?

LP replied that she had no idea, but that would be a central government decision for a national policy and not the result of local pressures.

LP reiterated that she wouldn't advocate a single-policy Plan. She advised looking at approved and Plans in progress, particularly those of local parishes. She said to consider where green spaces might be identified and designated within the parish, and at the allocation of sites within the Rural Exception for

affordable housing¹. Look at the demographic of the local population, eg, the elderly who want to remain in the village but who might need to downsize to do so, or the younger people who want to remain in the village – especially if they have generational ties - but for whom the lack of affordable houses renders that impossible. All this would have to be evidence based, for example through a comprehensive housing needs survey.

- A parishioner enquired what happens if a Neighbourhood Plan identifies an affordable housing need but the developers present only development schemes that don't provide for that need? At the moment, developers are calling all the shots. For example, Martlets is 40% affordable (ie affordable at 75% rental value or 80% open market price as set out in the Section 106 agreement – that's still very expensive and beyond the reach of many.
- Another question was whether a covenant could be included for affordable housing to be available to local people only?

LR answered that the Rural Exception Scheme Local Lettings Policy² provides for identified needs to be met by the first letting option to be offered to people from the parish who are already on the housing register. The register is open to those who are eligible for housing and who qualify to be registered according to EHC criteria. So, the answer to the question is no.

- Another question was whether there is an average value that then defines affordable? Affordable is defined by size and is dependent on location, or where purchased by a housing association and let, or by part ownership, or in relation to open market value.

PR cited examples of the sort of local issues - joined up footways and parking for example - that have been addressed in approved plans. Others Council members suggested that local parishes with Plans in progress could be asked what made them consider that it was worthwhile committing themselves to the time and expense of producing it. It was noted that a neighbouring parish has already spent over £10k without producing anything yet, and has now run out of money. Lessons - positive and negative - could and should be learnt from the experience of others. It was again emphasised that a Neighbourhood Plan cannot have any bearing on whether development takes place, only in shaping what happens within development.

- 5 A vote was called for to see whether there was the will to proceed with the production of a Neighbourhood Plan and who was prepared to put their names forward to be involved in its production. However, before a vote was taken, some felt they needed more information before committing to a long-term and expensive project and that there should be clear agreement first on what policies should be included.

It was then proposed for a non-binding show of hands to indicate those who would like to have more information on policies and a further meeting with independent consultant Lorraine Hart to discuss the idea. Those interested were asked to give their names and contact details to the Parish Council Clerk or to Cllr Paul Riddle. No one felt able to leave their names at this stage.

- 6 & 7 At the ensuing show of hands eight parishioners expressed the need to see examples of policies from other Neighbourhood Plans before deciding to go further. Cllr Paul Riddle agreed to pull something together and circulate as an action point. A further public meeting will be held to seek advice from Lorraine Hart and to review these policies.

The Chairman thanked everyone for attending, invited all to stay for tea or coffee and biscuits, and closed the meeting at 9.15pm.

Parish Clerk's Footnotes

1 *East Herts Pre-submission District Plan, December 2016: Chapter 14.6 and Policy HOU4 (pages 176-177)*

2 *East Herts Council Housing Register & Allocations Policy, April 2016. See the Parish Council website.*