

# **Warwick District Council**

## **Local Plan Examination**

### **Response to Inspector's Matters and Issues**

#### **Matter 13 – Other Policies**

##### **Neighbourhood Planning**

Policy NP1 – Neighbourhood Plans

Policy NP2 – Community-led Planning

##### **Issue**

Whether other policies are justified, effective and consistent with national policy.

**October 2016**

## Neighbourhood Planning - Policy NP1 – Neighbourhood Plans

### 1. What is the basis for the policy? What is it seeking to achieve?

- a) The basis of this policy is to support the delivery of sustainable development in line with the Plan-led system set out in paragraphs 14 to 16 of the NPPF. The Policy emphasises that schemes which accord with the adopted Development Plan documents, including Neighbourhood Plans, will be approved without delay unless there are material factors that suggest otherwise. It aligns with Policy DS5, but underlines the importance of giving weight to Neighbourhood Plans for applicants and decision takers.

### 2. How does the policy relate to the evidence base?

- a) At the time of writing, a total of 11 Neighbourhood Plan Areas have been designated. Of these, two Neighbourhood Plans are 'made' and a further Plan has been the subject of independent examination. Others are at various stages of drafting and consultation. Over the period of the Local Plan therefore, a number of neighbourhood plans will be/will come into force, and policies therein applicable to their designated areas. Each Neighbourhood Plan draws on a unique evidence base. Policy NP1 recognises the importance of this local evidence base in making decisions by ensuring decision takers give due weight to Neighbourhood Plans.

### 3. Is the policy sufficiently clear? Will it provide sufficient guidance for decision making?

- a) The policy is clear. It sets out that Neighbourhood Plans and other development plan documents must all be given weight alongside the Local Plan in making planning decisions. It sets out that any planning applications which accord with all levels of adopted policy shall be approved except where exceptional circumstances dictate otherwise.

### 4. How will the policy be implemented? Is this clear?

- a) The policy will guide planning decisions insofar as they must be consistent with the development plan, except in exceptional circumstances. Where 'made', neighbourhood plans form part of the Development Plan, they may take precedence over non-strategic policies within the Local Plan where there are inconsistencies.

### 5. How does the policy relate to national policy? How is it consistent? Are there any inconsistencies?

- a) This policy is entirely consistent with national policy set out in the NPPF. It relates to paragraph 17 which sets out the principle of a plan-led system and aligns with paragraphs 14 to 16. Paragraphs 150 and 196 of the NPPF further emphasise the requirement (as set out in law) for planning decisions to be in accordance with the Development Plan unless material considerations indicate otherwise, whilst paragraph 154 states that "...only policies

*which provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.” In relation to Neighbourhood Plans, paragraph 198 continues that “...where a planning application conflicts with a Neighbourhood Plan that has been brought into force, planning permission should not normally be granted.”*

- b) The Council does not consider that there are any inconsistencies with national policy

**6. In overall terms is the policy justified, effective and consistent with national policy?**

- a) Overall the policy is designed to guide planning decisions and for the reasons stated above, is considered entirely consistent with national policy.
- b) The Council considers that it is justified because of the importance the NPPF and the Council place on Neighbourhood Plans, recognising that these plans have gone through a rigorous process and are based on local evidence. In this context it is important the Local Plan underlines this and ensures decisions are taken accordingly.
- c) In terms of effectiveness, the Policy overlaps with DS5 of the Local Plan. However, as set out in other Matters Statements, the Plan is designed in two parts with the Development Strategy policies (including DS5) providing the context for proactive proposals and allocations in the Plan, whilst the other chapters, including NP1 set out policies for determining planning applications. For this reason the Council considers it important to include this policy and believes that it will be an effective way of underlining the importance of taking decisions in line with “made” Neighbourhood Plans.

**Neighbourhood Planning - Policy NP2 – Community-led Planning**

**1. What is the basis for the policy? What is it seeking to achieve?**

- a) This policy seeks to highlight and support the Localism agenda. The policy seeks to highlight the importance the Council places on localism to encourage groups to consider the development of a Neighbourhood Plan and other non-statutory community-led plans. It identifies that support will be afforded to groups which decide alternative types of plans or statements may best suit their needs.

**2. How does the policy relate to the evidence base?**

- a) At the time of writing, a total of 11 Neighbourhood Plan Areas have been designated. Of these, two Neighbourhood Plans are ‘made’ and a further Plan has been the subject of independent examination. Others are at various stages of drafting and consultation. The Council is therefore currently providing support to numerous community groups engaged with neighbourhood planning.
- b) One village design statement is extant for Barford and many parishes within the district have parish plans.

**3. Is the policy sufficiently clear? Will it provide sufficient guidance for decision making?**

- a) On reflection, it is considered that the Policy is unlikely to provide sufficient guidance for decision making. As such, the Council considers that it should form part of the supporting text for Policy NP1

**4. How will the policy be implemented? Is this clear?**

- a) See answer to question 3 above

**5. How does the policy relate to national policy? How is it consistent? Are there any inconsistencies?**

- a) The policy is consistent with the statutory duty of the Council to support neighbourhood planning. It seeks to go beyond the Council's statutory duty on neighbourhood planning, to support other types of community-led planning in the spirit of the localism agenda.

**6. In overall terms is the policy justified, effective and consistent with national policy?**

- a) The policy aligns with the localism agenda and supports community-led planning. The Council now recognises that it is unlikely to be effective as a stand-alone policy and that outlining the Council's intention to support this, is better expressed as supporting text within Policy NP1.

In addition:

**7. Are Policies NP1 and NP2 actually necessary as policies? Could they be included as supporting text?**

- a) Policy NP1 is considered to be clear, relevant and entirely consistent with national policy. Policy NP1 expands upon the Council's statutory duty to support the development of Neighbourhood Plans. The Council considers that the importance of localism and particularly community-led planning requires a clear policy framework to emphasise the need to take this into account. Including policy NP1 as supporting text would run the risk that this importance is lost.
- b) The Council accepts that Policy NP2 would be more appropriate as supporting text for Policy NP1.