

Somerford Keynes & Shorncote – Next Steps to a Neighbourhood Plan

**An Advisory Report by Erimax Ltd on behalf of
Gloucestershire Rural Community Council**

Introduction

The Somerford Keynes & Shorncote Parish Plan (2012-2022) was developed by the Parish Council further to meetings and consideration of the results of a detailed Parish Questionnaire.

This short Report considers the Parish Plan with a mind to advising on the scope for evolving the document into a Neighbourhood Development Plan, in line with legislation set out in the Localism Act (2011) and the Neighbourhood Planning Regulations (2012). In particular, this Report considers:

- the general proposed content of a Neighbourhood Plan
- plan-production, process and further evidence

Background – Neighbourhood Planning

Recognised in the National Planning Policy Framework, neighbourhood planning provides communities with the power to set priorities for local development. It “*gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need*” (para 183). Fundamentally, a Neighbourhood Plan, once made (further to a “Yes” vote at Referendum) provides a powerful set of tools for local people to ensure that they get the right types of development for their community.

The policies of a Neighbourhood Plan, once made, comprise material considerations of significant weight, to be taken into account when making planning decisions. Thus, they are serious planning policies, not to be taken lightly. To be acceptable, in planning terms, the policies must meet what is known as “the Basic Conditions.” In brief, the Plan must

- *have regard* to national planning policy
- be in *general conformity* with the strategic policies in the development plan for the local area, which in this case is the *adopted* Cotswold District Local Plan (adopted 2006, saved 2009).
- contribute to the achievement of sustainable development
- be compatible with EU obligations and human rights requirements

Also, all policies must relate to the development and use of land for a designated Neighbourhood Area (this is in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004).

Task - Taking the above into account, subject to agreeing to progress a Neighbourhood Plan, Somerford Keynes and Shorncote Parish Council would need to *write to Cotswold District Council with a request for the Parish to become a designated Neighbourhood Area*. Unless the Parish Council wished to work together with other Parish's in the area, to jointly produce a Neighbourhood Plan, *it is recommended that the proposed Neighbourhood Area coincides with the Parish boundary*.

Neighbourhood Plan Content

Further to consideration of the Parish Plan, a number of specific issues, relevant to land use planning, clearly arise. In summary, these comprise matters relating to:

- the local footpath and cycle network
- public rights of way
- highway safety matters
- residential development
- restriction of development (Settlement Protection Zones)
- the balance of permanent housing and holiday homes
- broadband and mobile telecommunications
- provision of formal open space
- service provision (retail/pub, community, leisure)

Whilst the Parish Plan identifies other issues, those highlighted above comprise matters which would *relate to the development and use of land*. They are matters relevant to a Neighbourhood Plan.

It would be possible to place each of the above into the four broad categories: Movement; Development; Telecommunications; Services & Facilities. These are simply suggestions, rather than definitive categories, but, subject to comments on Vision and Objectives below, provide a useful reference point with regards Neighbourhood Plan production.

The issues/categories above are derived from a clear evidence base – founded on a detailed, widely distributed questionnaire, with excellent, high levels of feedback. This is an important point. There is no requirement for the evidence base for a Neighbourhood Plan to be the same as that for a district-wide local plan. However, in providing *a vision for their neighbourhood*, it is essential that Neighbourhood Plan and its policies are derived from consultation and reflect the views of the community.

The work to produce the Parish Plan and most notably, the results of the Questionnaire, form the foundations for the production of the Neighbourhood Plan. They provide the initial layer of consultation and form part of the evidence base.

Taking all of the above into account, the findings of the Questionnaire provide an appropriate starting point for a Neighbourhood Plan.

Neighbourhood Plan Production, Process and Further Evidence

The Neighbourhood Plan should follow a logical structure. With reference to good practice from elsewhere, general structure largely follows the format: Background; Vision; Objectives; Policies.

Further to the Parish Plan, much of the necessary work relating to each of the above sections has either been done, or commenced. Subject to the reference to further evidence below, it would be possible, at this stage, to create a “skeleton plan.” However, prior to producing the draft Neighbourhood Plan for consultation, it is recommended that further work is done on the following basis:

Background

- create an introductory section, setting out the background to the area (much of this has been done); the background/purpose of neighbourhood planning (written for the community – who should be encouraged to vote “Yes” after reading the final plan/being involved in its production - in plain English); and the reason(s) why it is has been decided to produce a Neighbourhood Plan.

With regards the latter point, there could be a series of reasons, but from considering the Parish Plan, the fundamental one would seem to be along the lines of “the Parish Plan identified specific, key community issues. It was considered that the neighbourhood planning process provided the opportunity to take matters in hand and *develop the community’s own policies and achieve its aspirations.*”

Task – Re-word existing information into a Neighbourhood Plan background/introduction section.

Vision

– this is important, as ultimately, the policies of the Neighbourhood Plan will flow from it. Ideally, it is a matter which should be the subject of Parish Council consideration and debate – what should a Neighbourhood Plan achieve for Somerford Keynes & Shorncote for the next 20 years ? Perhaps “*a sustainable community providing opportunities for all;*” or “*a balanced community for leisure, jobs and living*”; or “*an accessible community.*” (NB, only suggestions/examples)

Sometimes Vision work seems glib and it can be a difficult task to reach consensus. However, the Neighbourhood Plan will be “sold” to voters on the basis of being able to explain what its for in one or two sentences. The Vision also helps the examiner, at examination, to consider the logical “flow” of the Plan and to understand the bigger picture – what the Plan trying to achieve as a whole. This helps ensure that policies are not looked at in isolation.

Task – Parish Council meeting(s) to agree a Vision.

Objectives

– the objectives provide the opportunity to explain the Vision, putting flesh on the bones. From the findings within the Parish Plan, the Objectives would generally reflect the issues/categories identified above (subject to the point below, re: the Vision leads the Objectives, which lead the Policies).

For example, an Objective could be *to safeguard, enhance and promote the development of an exceptional footpath and cycle-way network.*

Agreeing Objectives tends to be more straightforward, and easier, than coming up with a Vision and essentially provides the middle ground between Vision and Policies. They provide a useful tool for setting out community aspirations, and for helping the wider community to understand the logical progression and purpose of the Neighbourhood Plan.

Policies

– One of the reasons for suggesting bringing the issues together into categories is to provide clear, logical chapters/sections for the policies of the Neighbourhood Plan. This then helps policy-creation, by allowing for focus on specific matters and avoiding unnecessary confusion.

It is recommended that, as part of the completion of the Visioning and Objectives work, the Parish Council agrees upon the specific categories of the Plan. Whilst plan-production will inevitably (and rightly) emerge from work already done in the form of the Questionnaire results/considerations of the Parish Plan, it is important that the Policies do not lead the Vision and Objectives.

It may well be that, prior to producing a draft Neighbourhood Plan, the Parish Council seeks to agree on policy categories and then progresses an “Options Approach” for further consultation/evidence gathering.

Put simply, an Options Approach would set out alternative ways of meeting Objectives. It can then be tested by holding consultation based on an open evening/day, for anyone in the community to give their views on the options proposed.

Taking development as an example. A Neighbourhood Plan cannot state that there will be no development, but must allow for minimum levels of development. Given the size of the Parish - development opportunities and the need to provide will be relatively few/small. However, without some development, it will be difficult for the Neighbourhood Plan to achieve its objectives.

The Parish may therefore wish to test the Options of (numbers just for example):

- Providing for a minimum of say, 10 affordable/10 market houses, either via a simple policy, or via land allocations – which again creates the opportunity to consider options (which sites, where);
- Not stating a minimum number of houses, but providing a policy which allows for the development of say, four, sites for no greater than, say 6 houses on each, with 50% (or 30% or X%) being affordable.
- The Parish could test whether to provide for 10 houses over 20 years, for 20 houses, 50 houses, 100 houses...

The purpose for the above is to develop the evidence base. If the community as a whole can understand the purpose of the Neighbourhood Plan (it must allow for development, but development can help provide for other things, eg, affordable housing, planning obligations/Community Infrastructure Levy money to pay for services and facilities etc); then the Parish can *seek to reach, through consultation, a community consensus around the right number of new houses that should be provided for in the Parish.*

Neighbourhood Plans are not expected to provide the kind of highly detailed evidence bases that would support district wide local plan housing allocations. In the case of Neighbourhood Plans that have succeeded at examination, as long as there is a clear audit trail to demonstrate consultation and community support for policies, and as long as those policies meet the Basic Conditions (above), then the Plan will pass examination. Plan-makers should not be unduly worried about being tested to Nth degree about their approach to policies. Just ensure that policies meet the Basic Conditions.

Task – to develop an options-based approach to the most contentious matter(s) (development) and to test this.

NB – given the likely scale of proposals/population of the Parish, the options testing really need be no more than ensuring that everyone has the opportunity to have a say. It is suggested that this is simply a case of the Parish Council determining the options and then presenting these at an open day/open evening and considering comments. They do not need to be debated ad infinitum. One of the recognised advantages of neighbourhood planning is the speed of the process, relative to development plans.

However, notwithstanding the above point, is strongly recommended that explaining the role of Sustainable Development and Design Quality form part of any such consultation – the Neighbourhood Plan provides the opportunity for the community to manage and control the kind of development that can take place and by setting the criteria, the community can ensure high quality design etc.

It is not necessary to undertake Options for all sections of the Neighbourhood Plan's policies. This would be time consuming and may result in little, if any, significant benefits. It is suggested that the Parish Council goes ahead and drafts policies for Movement, Telecoms and Services/Facilities on the basis that the community has already expressed clear views in respect of these matters via the Questionnaire already undertaken. However, if issues do crop up in progressing these policies, the Parish Council always has the ability to take proposals to the community for their consideration. The Consultation process can be dynamic, flexible and can support/consider Plan-production, as required. The key point is to ensure a full and comprehensive audit trail of all consultation, no matter how small.

Subject to the above, it is considered that the draft Neighbourhood Plan consultation is a good place to test policies not subject to an Options Approach.

Task – consider good practice/examples from other Neighbourhood Plans and in the light of the Questionnaire results (which form the initial evidence base), draft non-development policies for the Plan.

Summary and Next Steps

Summary

Taking all of the above into account, the Parish Plan provides an excellent basis for the production of a Neighbourhood Plan. Much of the initial work necessary for neighbourhood planning has already been completed or commenced. The Questionnaire in particular forms an important part of the evidence base for the Neighbourhood Plan.

Next Steps

This in mind, the next steps would comprise:

- Agreeing Vision and Objectives.
- Developing options around development, specifically around how many houses/affordable houses and how the Neighbourhood Plan policy would seek to address housing (via allocation(s), via policy without allocation(s)).
- Holding an Options Workshop/Consultation Event. Some of this would require, naturally, describing why a Neighbourhood Plan needs to provide for sustainable development and the benefits of this.
- Creating development policies further to comments received at consultation, with an emphasis on “community aspirations.”
- Drafting policies on other issues, following on from the Vision and Objectives work and taking specific account of the findings of the Questionnaire.
- Bringing together all of the above into a Draft Neighbourhood Plan.

The Draft Neighbourhood Plan would then undergo a six week consultation period. It is advised that the Parish puts the Draft before the District Council BEFORE the consultation period and ideally, before printing any copies. Positive and reasonable comments should be taken on board. The District Council would be invited to the Consultation Event, above, and it is good practice to involve them at each stage. As willing consultees, a Local Planning Authority has much to offer to the process. As unwilling consultees, they cannot prevent neighbourhood planning, but if fully informed, cannot at any stage say that they were not consulted. Unwilling Local Planning Authorities are becoming much fewer and further between as the importance of neighbourhood planning is becomes more established.

Footnote

Just as a footnote, there are issues of national importance raised in Somerford Keynes & Shorncote. In particular:

- the development of a Neighbourhood Plan which takes into account the strategic aim of providing for a balanced community where the ratio of homes:holiday homes is so pronounced;
- providing for development which can help protect and/or sustain local facilities and services in a rural area;

With regards both of these points, there is potential for the development of a groundbreaking policy approach to consider the sharing of services/facilities to generate mutual support/long term viability (eg, local pub in the village and café in the holiday park; matters of access/accessibility).