

Report to Plaistow and Ifold Parish Council Meeting 9 February 2022

Update on the Neighbourhood Plan

A meeting was held with CDC Officers in December to discuss the way forward for the Neighbourhood Plan. A copy of the minutes of that meeting have been made available to the Councillors. Following that meeting a Steering Group meeting was held to determine a course of action to recommend to the full Parish Council.

From the CDC meeting minutes Councillors will be aware that the matter of water neutrality for this Parish has a significant impact on future development, where such development would result in an increase in water demand. This is any development, but primarily for this Parish it is residential development, both new housing and potentially some extensions.

Natural England are requiring that there is no increase in water demand from new development, therefore not only does any new development have to show water saving it also has to show how any increase in water usage may be offset by other water saving. This is a very high bar to reach in a rural area with a high proportion of private housing, where means of offsetting water usage are very limited. For other areas of the N.Sussex water zone (NSWZ) there may be greater scope with say introducing rainwater harvesting for a large commercial industrial park, such as Manor Royal in Crawley.

The implication for the Neighbourhood Plan is that it can't go forward to referendum in its current form because there are housing allocation Policies, which would result in an increase in water usage. CDC have sought legal advice from a QC and there is no legal workaround in changing the wording in the NP Policies, as proposed by AECOM in their latest HRA reported to the Parish Council in October. AECOM have accepted the QC Opinion on the matter.

Therefore the Parish Council is left with two choices:

- To withdraw the NP from the current Examination. Or
- Allow the NP to complete Examination and the Inspector will not recommend the NP goes forward to referendum because the Plan cannot impose policies to ensure water neutrality in new development.

From discussion with CDC, as detailed in the minutes, it is clear there is no merit or benefit to the community in taking the Plan through the Examination process and obtaining the Inspectors decision. **Therefore the Steering Group recommends to the Parish Council that a resolution is made to withdraw the Neighbourhood Plan from Examination**

The Parish Council will need to make a further resolution regarding the future of the Neighbourhood Plan, following the above. Either

- Option 1. To cease to pursue neighbourhood planning. Or
- Option 2. To withdraw the Plan until there is a resolution to the water neutrality issue, then re-submit the plan to Examination. Or
- Option 3. To modify the Neighbourhood Plan in order that it can meet the requirement of water neutrality and to ensure that other Plan policies benefiting the community can be retained.

No Neighbourhood Plan (Option1)

With no neighbourhood plan management of development and housing site allocations for this Parish would be entirely by the District Council and the Local Plan. The Local Plan has generalised district wide Policies which are not specific to Parish needs or requirements. CIL payments are 15% of CIL received.

Resolution of the Water Neutrality Issue (Option2)

Resolution may occur with the review of the Local Plan, but from the discussion with CDC this may not occur for some years ahead, at which time the NP will be so out of date it will require amendment and return to Regulation 14. Natural England are stating that work within the NSWZ to improve water supply will not be likely until 2030 and CDC are working to 2036.

Modifying the Neighbourhood Plan.(Option3)

The Plan would require re-wording. The Policies allocating housing development would need to be removed. Policies relating to extensions and design may be retained but may require some alteration in wording. The Plan is now 5 years old and an opportunity would arise to review, modify and update the Plan. A new Habitat Regulations Assessment may be required. The revised Plan would need to be taken back to Regulation 14 Consultation with the community, involving public exhibition, consultation and revisions moving forward to Regulation 16 and finally back to Examination.

Benefits of a Neighbourhood Plan

Managing development in the Parish to meet the needs and requirements of the Parish and its residents specifically. Examples -density, height, street scene-fencing, protecting and improving biodiversity, intensification of development. Providing protection for Local Green spaces, such as the football field and local heritage assets. Community benefit-encouraging provision of better road safety, public open space, community facilities. A basis to manage future housing allocations when they can come forward once the water neutrality issue has been resolved. Up lift in CIL payments to 25%.

Costs of Modifying the Neighbourhood plan

The steering group are unpaid volunteers. Professional help would be required for rewording policies. Colin Smith Planning, who have been involved in the NP, are able to assist and have provided an estimate for their time and cost. Locality, the Government agency, have confirmed grant assistance up to £10 000 rising to £18 000 if the plan has a Design Code (see VDS below). There will also be free technical support from Locality, if required. There will be additional employment costs for the Parish Clerk support for the Plan, specifically managing the consultation phases. Therefore there will be costs to be borne by the PC.

A Parish Council commitment and cost in the future to maintaining and reviewing the Neighbourhood Plan.

Recommendation

The Steering Group have considered these matters and would recommend that the NP is withdrawn from examination and modified, Option 3. A resolution is invited from the Parish Council.

Village Design Statement (VDS)

The VDS still remains with CDC and has not yet been adopted. Neighbourhood Plans can now have a specific Design Code within the document. Additional grant aid is provided for drafting the Code (see above). Design Codes are not dissimilar to the VDS in content but would carry more weight as part of the NP.

It is recommended the VDS is withdrawn from CDC and amended to a design code for inclusion in the body of the NP, if it is decided to adopt Option 3. A resolution on this matter is required from the Parish Council.

Sara Burrell

Chair Neighbourhood Plan Steering Group