

Barwick and Scholes Neighbourhood Plan

Notes for plan review discussion 11 September 2020

Context

There is no set formula for judging when a NP should be reviewed but its best done with the neighbourhood planning group, local stakeholders and the local planning authority.

Key considerations

In considering the how and what of NP review, the following considerations will provide a sound foundation for a successful review:

Results of monitoring of plan policies and their effectiveness

- see separate note (to be circulated w/b 14 Sept)

Engagement with the community

- what does the local community think?
- Is there anecdotal evidence to support the need for a review. If so, what is that evidence?
- What are the views of the parish council? Is it a unanimous view to undertake a review? Or? What issues have been highlighted and why?
- What do local stakeholders think?
- What do local landowners think?

National policy

- Implications of White Paper (parish council should consider providing comments to MHCLG on neighbourhood planning issues generally, the 'direction of travel' is for better and stronger design policies in neighbourhood plans but there is likely to be a strengthening of neighbourhood planning powers)
- Separate note on national changes to be sent to all NP groups (w/b 14 Sept)

Local Policy

- review of Local Plan and implications (too early in the day to be clear about what these issues will be, in advance of preparation of an 'Issues and Options' report. However, the B&S NP Review could influence that work)

Local issues

- What has changed locally since the NP was 'made' ? (these could be economic, social, environmental changes)
- What has been the impact of any local changes?

Key steps

In doing a NP Review, there are at least 6 key steps to redrafting a NP:

- 1 Community and stakeholder engagement
- 2 Evidence updates
- 3 Policy review and amendments
- 4 Consider new Policy needs
- 5 Consider new allocations
- 6 Fact check and edit of existing plan

Key statutory considerations

The key statutory considerations for any review of a NP are set out below. The assumption is that the B&S review will involve material changes.

1 Minor updates to neighbourhood plan can be undertaken without need for pre-sub consultation, examination or referendum. But these would only be for non-material matters.

2 Where there are significant (material) changes to the plan there are a number of statutory requirements to be followed:

- Pre-submission consultation would need to be explicit about why the modifications are significant and give reasons for the changes being put forward. In other words, this consultation will effectively be on the revised NP, as well as the reasons for the revision.
- At examination the LPA will be required to state whether it thinks that the modifications are significant and give reasons why they believe that to be the case.
- note: the revised plan must be submitted for examination with the 'made' plan
- It will be for the examiner to decide whether the modifications change the nature of the plan or not (based on what the neighbourhood planning group say, representations made and what the LPA say). If the examiner decides that the modifications do change the nature of the plan then he/she will advise that a Referendum must take place before the plan can be 'made'. The Referendum will only proceed with the with the agreement of the NP group.

3 Note: Referendum not required if the examiner decides the modifications do not change the nature of the plan and can meet the basic conditions with modifications recommended by the examiner.

4 Note: if the examiner finds that the proposed modifications do change the nature of the plan then a Referendum will be held.