

SILEBY PARISH COUNCIL REPRESENTATIONS
CHARNWOOD LOCAL PLAN EXAMINATION
UPDATE ON THE SILEBY NEIGHBOURHOOD PLAN REVIEW

General Comments

Sileby Parish Council (SPC) is in the process of formally reviewing its Neighbourhood Plan which passed Referendum with an 90% vote in favour on a turnout of 15.7% on 21 November 2019. The Neighbourhood Plan was formally ‘Made’ by Charnwood Borough Council on 16 January 2020, at which point it became part of the development plan for Charnwood Borough.

In the time since the Neighbourhood Plan was Made there have been a number of important legislative changes which impact upon the neighbourhood planning process. The new Charnwood Local Plan is now at Examination and the UK has left the EU. Planning Practice Guidance in relation to neighbourhood planning was updated in 2019 and updates to the National Planning Policy Framework (NPPF) have taken place in 2021. These changes to the NPPF have strengthened the range of powers that Neighbourhood Plans have where they undertake residential site allocations.

As a result, the Parish Council took the decision to review the Neighbourhood Plan towards the end of 2020.

The Neighbourhood Plan Review was finalised in early 2022 and was subject to Regulation 14 Consultation from 20 May – 1 July 2022.

As this paper is being written, it is anticipated that the Neighbourhood Plan Review will be amended following comments made at Regulation 14 stage and formally submitted to Charnwood Borough Council whilst the Local Plan Examination is in progress.

Neighbourhood Plan Review

The updated Sileby Neighbourhood Plan has largely remained the same as the Made Neighbourhood Plan.

The primary changes to policies relate to a revision to the Limits to Development (Policy G1) to reflect changes since the last review, and to incorporate a site allocation; a residential allocation has been made and is incorporated into a new Policy H1 alongside an update to Reserve Sites to come forward should housing need increase over the Plan period (Policy H2); a minor change to Policy H4 on Affordable Housing to reflect deliverability issues that have been raised since the Neighbourhood Plan was Made; a revised Policy ENV10 to help address flooding issues across the Parish; a revised Policy T2 on the road network with an enhanced evidence base and a new policy on Infrastructure to prioritise developer contributions in line with a local need.

The most significant of these changes is that relating to the allocation of a site in the Neighbourhood Plan Review for Residential accommodation.

The allocation of this site enables the Neighbourhood Plan Review to meet the requirements outlined in paragraph 14 of the NPPF (2021) which affords additional powers to Neighbourhood Plans where:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and
- d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.

Following an approach by Sileby Parish Council to provide a housing figure for the Neighbourhood Area, a figure of 345 additional dwellings was identified by Charnwood Borough Council as the housing requirement for Sileby prior to the Local Plan being adopted. This figure reflects the total allocations for the Neighbourhood Area in the pre-submission Local Plan. A 5% buffer was suggested by Charnwood Borough Council post-Adoption, making an overall housing requirement of 363 over the Plan period, or an additional 18 dwellings. Against this housing requirement a total of 49 dwellings have already received planning consents and by agreement with Charnwood Borough Council a windfall figure of 5 additional dwellings per annum (an additional 75 dwellings over the Plan period) can also be added to the overall total.

The Sileby Neighbourhood Plan Review therefore supports sustainable development by containing policies and allocations to meet its identified housing requirement, as it is required to do to satisfy the intention of the NPPF (2021) Paragraph 14.

Weight to be afforded the Neighbourhood Plan Review

Planning Practice Guidance (2019) identifies three ways in which a Neighbourhood Plan can be updated:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.

- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development. (Paragraph: 106 Reference ID: 41-106-20190509 Revision date: 09 05 2019)

Whilst many of the proposed modifications in the Sileby Neighbourhood Plan Review are non-material, some represent material modifications and the Parish Council takes the view that some changes are Material requiring a referendum.

In terms of the weight to be given to the Neighbourhood Plan Review, it is noted that Planning applications are decided in accordance with the development plan, unless material considerations indicate otherwise (PPG 2019 Paragraph: 007 Reference ID: 41-007-20190509).

Planning Practice Guidance goes on to say that 'An emerging neighbourhood plan is likely to be a material consideration in many cases. Paragraph 48 of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies ... The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals' (Paragraph: 007 Reference ID: 41-007-20190509).

The modifications in the Review Neighbourhood Plan have been made to align more closely with the development plan. The housing requirement has been set in conjunction with Charnwood Borough Council and with the local planning authority's agreement.

It is therefore asserted that the Sileby Neighbourhood Plan Review is closely aligned with an up to date evidence base.

Conclusion

The Sileby Neighbourhood Plan Review is being undertaken by Sileby Parish to update the document following revisions to the NPPF (2021) and Planning Practice Guidance (2019) and to reflect the advanced stage of the Charnwood Local Plan.

Its policies have been reviewed and amended in line with an updated evidence base to ensure its continued relevance within the Charnwood development plan.

As this paper is being written the Sileby Neighbourhood Plan Review is at Pre-Submission Consultation, a process which concludes on 1 July 2022. It is intended to formally submit the draft Plan to Charnwood Borough Council during the Local Plan Examination, at which point the draft Plan will hold weight as a Material Consideration in any planning applications that are determined thereafter.

