

Report to	Planning Committee
Date	14 December 2017
By	Director of Planning
Title of Report	The Making of the East Meon Neighbourhood Development Plan
Purpose of Report	To make the East Meon Neighbourhood Development Plan part of the South Downs National Park Authority's (SDNPA) statutory Development Plan

Recommendation: The Committee is recommended to:

- 1) Note the outcome of the East Meon Neighbourhood Plan Referendum;**
- 2) Agree to make the East Meon Neighbourhood Development Plan part of the SDNPA's Development Plan for the parish of East Meon.**

1. Summary

1.1 This report presents the East Meon Neighbourhood Development Plan (EMNDP) which recently passed referendum and is now part of the South Downs National Park Authority's (SDNPA) Development Plan. The plan has been through the neighbourhood planning process. Following Independent Examination it has been subject to community referendum with 83.9% of those that voted, voting yes. The recent enactment of the Neighbourhood Planning Act 2017 now means that a Neighbourhood Plan automatically becomes part of the Development Plan following a successful referendum. However, the Local Planning Authority is still required to take a decision to 'make' the Neighbourhood Plan unless making the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998). The Neighbourhood Planning (General) Regulations (as amended) require the LPA to 'make' a neighbourhood plan within 8 weeks of a successful referendum.

2. East Meon Neighbourhood Development Plan 2016 - 2032

2.1 The East Meon Neighbourhood Area was designated by the SDNPA on 14 August 2014 (**Appendix 1**) and follows the parish boundary. East Meon is located approximately 4 miles to the west of Petersfield in the District of East Hampshire. The landscape of the Parish is comprised of the upper River Meon valley, including its source, and surrounding chalk hills. The chalk hills are a mixture of pastureland and areas of cultivation. There are significant areas of woodland in the Parish. The base of the Parish, in the Village, is at a height of 100m (330') with the highest point at 250m (825') situated near the top of Butser Hill, which is the highest point in the South Downs.

2.2 The EMNDP was prepared by the Parish Council to allow local residents to have more control over the location of development. It seeks to ensure future development meets the needs of local people whilst respecting the local grid and cluster pattern of development, allocating small sites rather than one large allocation. The EMNDP allocates 3 sites for a

minimum of 15 dwellings to meet the housing requirement set by the East Hampshire Joint Core Strategy.

- 2.3 The EMNDP includes a number of policies to protect the natural beauty of the surrounding countryside, including the protection local views, allocation of Local Green Spaces, and a number of design policies to protect the local characteristics of the built environment. The EMNDP includes two policies to manage sewerage and drainage and surface water management, as these were extremely important issues locally.
- 2.4 The EMNDP was submitted for Examination on 18 January 2017. Mr John Slater MRTPI was appointed as Independent Examiner on behalf of the SDNPA, to undertake the Examination. The Examiner considered 16 individual written representations, following the Examiner's initial assessment of the EMNDP further information was requested from the Qualifying Body and the Local Planning Authority. The Examiner's report concluded that, subject to a number of modifications, the EMNDP could proceed to referendum.
- 2.5 The Examiner congratulated the Neighbourhood Planning group on preparing a NDP which responded directly to the aspirations identified by the local community. In the Examination of the EMNDP the Examiner felt that one particular site was not appropriate for allocation; this was a matter raised by the SDNPA in their response to the EMNDP Submission consultation. The Examiner's modifications proposed the deletion of this allocation with the shortfall in housing numbers to be met on another allocated site. Whilst this concerned the EMNDP group, arrangements were made by the Independent Examiner to ensure that the increased allocation would respond to the grid and cluster pattern of development which was so important to the local community.
- 2.6 The SDNPA considered the Examiner's report and agreed to all proposed modifications in their Decision Statement which was presented to the SDNPA Planning Committee on 14 September 2017. A referendum took place on Thursday 9 November 2017 with the following results:

Turn out = 37%

Votes & % in favour = 303 (83.9%)

Votes & % against = 58 (16.1%)

3. Making of the East Meon Neighbourhood Development Plan

- 3.1 The recent enactment of the Neighbourhood Planning Act 2017 now means that a Neighbourhood Plan automatically becomes part of the Development Plan following a successful referendum. However, the Local Planning Authority (LPA) has a statutory duty to 'make' a neighbourhood plan, within 8 weeks of a referendum, if more than half of those voting have voted in favour of the plan. The LPA is not subject to this duty if (and only if) the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).
- 3.2 The Examiner concluded that the EMNDP with modifications met these legislative obligations/rights. No information has subsequently arisen to suggest the making of the EMNDP would be in breach with or incompatible with the legislation.
- 3.3 The East Meon Neighbourhood Plan is now part of the Development Plan for the parish of East Meon. The EMNDP sits alongside the East Hampshire Joint Core Strategy 2014, and the Saved Policies of the East Hampshire Local Plan, second review 2006, until the time that the South Downs Local Plan is adopted. The EMNDP is consistent with the pre submission version of the South Downs Local Plan.

4. Planning Committee

- 4.1 The EMNDP was presented to Planning Committee in March 2017 (SDNPA Submission comments) and September 2017 (Decision Statement) as the plan allocated land for development as set by the East Hampshire Joint Core Strategy.

5. Next Steps

- 5.1 The Neighbourhood Planning Regulations 2012 (as amended) require LPAs to publish a statement setting out their decision to make a NDP and reasons for making that decision. This statement should be published as soon as practical after the decision is taken to make the NDP. This report forms that SDNPA Regulation 19 'Decision Statements' for this NDP.
- 5.2 Following the 'making' of the EMNDP copies of the EMNDP will be made available to Development Management teams at East Hampshire District Council and the South Downs National Park Authority. The policies maps will be entered onto the relevant electronic mapping systems for both Authorities.

6. Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	No
Does the proposal raise any Resource implications?	<p>Yes - The SDNPA has claimed £5,000 in new burdens funding from CLG to date. SDNPA has granted East Meon Parish Council £5,000 to support the cost of preparing the NDP and SDNPA have paid £6,118.80 for the cost of the NDP Examination. The cost of the referendum was 2,749.35. To date the plan has cost £13,868.15 which is £8,868.15 more than the grants received. However, the SDNPA will be able to claim £20,000 shortly to cover the cost of the Examination and Referendum.</p> <p>The cost of Neighbourhood Planning to the SDNPA is normally covered by the grants received from CLG. However there are signs that these are going to start to reduce as Neighbourhood Planning increasingly becomes part of the mainstream. Currently within the National Park the cost of producing a plan ranges from around £8,100 (including the Examination and referendum) to £50,000</p> <p>Once a NDP is made, a Parish Council is entitled to 25% of Community Infrastructure Levy (CIL) collected from development within the neighbourhood area, as opposed to the capped 15% share where there is no NDP. The Parish Council can choose how it wishes to spend these funds on a wide range of things which support the development of the area.</p>
Has due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes, East Meon Parish Council prepared a Consultation Statement to support the submission version of the EMNDP, setting out how all sections of the local community (people who live, work or carry out business in the neighbourhood area), including hard to reach groups, have been engaged in the plan's production
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None

Implication	Yes/No
Are there any Health & Safety implications arising from the proposal?	None
<p>Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:</p> <ol style="list-style-type: none"> 1. Living within environmental limits 2. Ensuring a strong healthy and just society 3. Achieving a sustainable economy 4. Promoting good governance 5. Using sound science responsibly 	<p>The qualifying body with responsibility for preparing the neighbourhood plan must demonstrate how its plan will contribute to the achievement of sustainable development. This is set out in the Basic Conditions Statement. The examiner who assessed the plan considered that it met the requirements if a number of modifications were made. Please note that the sustainability objectives used by qualifying bodies may not be the same as used by the SDNPA, but they will follow similar themes.</p> <p>Strategic Environmental Assessment</p> <p>It was concluded that an environmental assessment of the East Meon Neighbourhood Plan was not required this assessment also determined that a Habitats Regulation Assessment would not be required for the EMNDP.</p>

7. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
A legal challenge to a NDP can be launched by way of judicial review within six weeks of the LPA publishing a decision to make the NDP.	Low	Medium	Officers at SDNPA are satisfied the EMNDP meets the legal requirements. Given that it has been through the correct statutory process, including Examination and Referendum, the Authority is obliged to “make” the plan unless making the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).

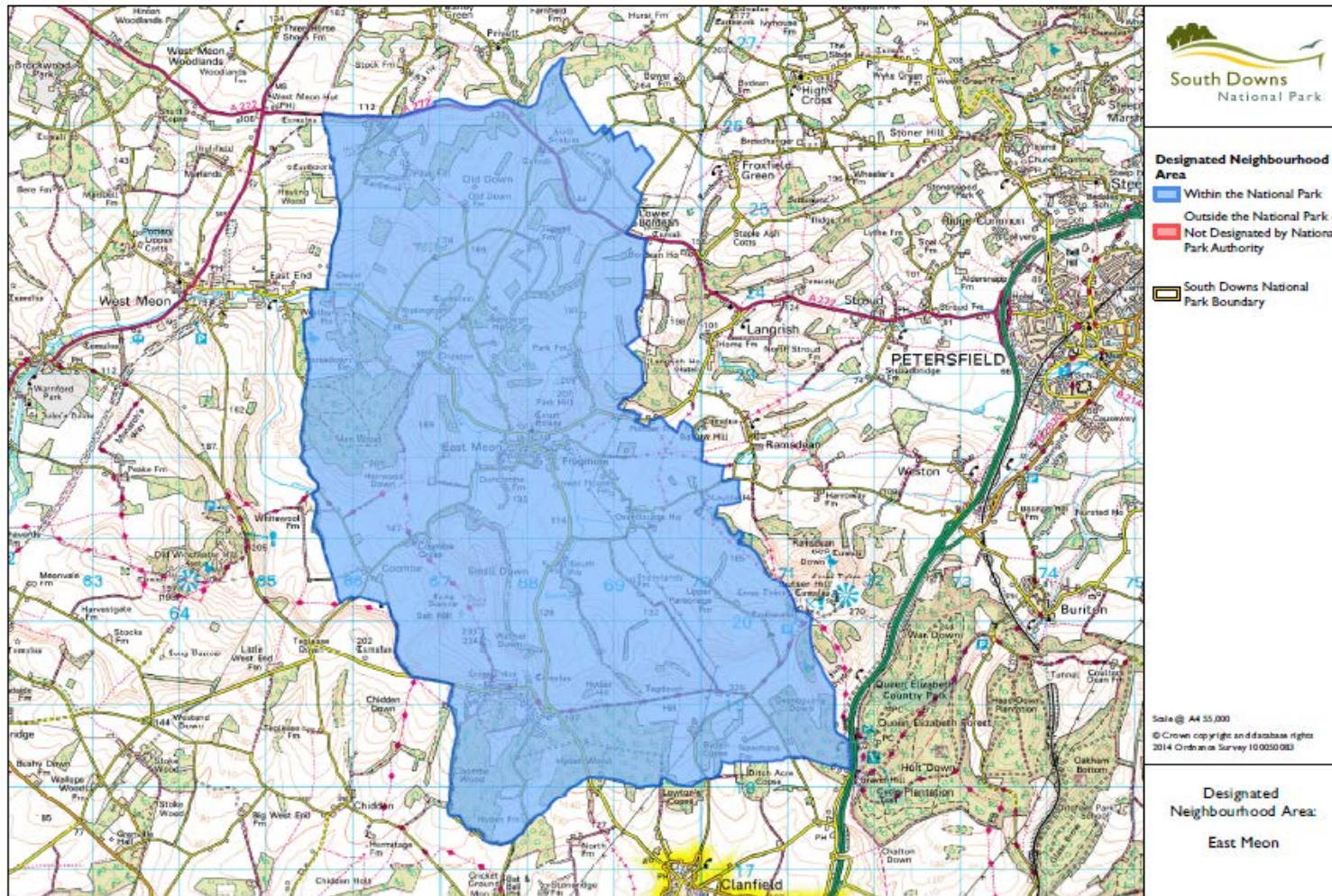
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 Appendices I. East Meon Neighbourhood Area
 SDNPA Consultees Legal Services; Chief Finance Officer; Monitoring Officer
 External Consultees None
 Background Documents [East Meon NDP Referendum Version](#)
[East Meon NPD Decision Statement](#)
[East Meon NDP Examiners report](#)

East Meon Neighbourhood Area



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