

WHPC Meeting 3<sup>rd</sup> December 2024

24-359 Progressing a Neighbourhood Plan for West Hill?

## 1. Background

In December 2022 WHPC (Min 22/358) resolved to develop a new Neighbourhood Plan (NP) for the parish of West Hill, which would supersede the existing joint NP for Ottery St Mary & West Hill. The first step for this was to apply to EDDC for a new Neighbourhood Area for West Hill parish on its own. The new West Hill Neighbourhood Area designation was approved by EDDC on 6 December 2023 (Min 23/369). To date, no further progress has been made.

WHPC is in the process of preparing a work plan and budget for the next 2-3 years and includes consideration of whether the Parish Council will begin development of a Neighbourhood Plan within this timeframe.

Ottery St Mary is also considering its future work plan and has asked what WHPC's current plans are for progressing a revised Neighbourhood Plan (NP).

## 2. Why do a Neighbourhood Plan?

The original motivation for starting the NP in around 2015 was a feeling that West Hill was not getting the "right" planning decisions – too many houses, in the wrong place, and often not of a suitable design. Although the West Hill Village Design Statement (2006) was adopted as Supplementary Planning Guidance, the principles in it were usually just referred to as just "guidance" and often over-ruled.

In 2015, prior to the creation of WHPC, OSMTTC resolved to develop an NP. The resulting NP for OSM+West Hill was "made" in 2018 and sets planning policies that are used, in conjunction with the East Devon Local Plan/National policies by EDDC when determining planning applications.

A review of the benefits show that the NP policies do influence planning decisions and appeal decisions.

Examples include:

- NP6 policy "Valued Views" helped to get the Lower Broad Oak Road "Horse Field" application refused;
- NP6 policy also used as a reason to refuse the Old WI building application for 3 houses;
- NP26 "West Hill Design" and NP14 "Infrastructure capacity" were quoted as reasons for refusal of the Morrish Homes development at Oak Road;
- NP26 "West Hill Design" used in refusal of the West Hayes PiP;
- NP17 "Community Facilities of Value", NP26 used as reasons to object to the Potters redevelopment application, which was subsequently withdrawn

However, the review of the NP highlights that many of the policies could be improved and refined and made more specific to West Hill.

## 3. For consideration:

Development of an NP can be a lengthy process, typically 2-3 years, including community consultations/evidence gathering and finally, independent examination by the Planning Inspectorate. *Can WHPC make it happen? Does WHPC have the resources?*

- 3.1. WHPC would be the “Qualifying Body” and would have ultimate responsibility for the Plan. However, the bulk of the actual work could be done by a working group which would have delegated powers to produce the NP. (Appendix 1 Draft Terms of Reference)
- 3.2. A Working Group would consist of a team of (up to 8) volunteers from the community, plus 1-2 Councillors. In addition, Town/Parish Councils sometimes provide Clerk support.
- 3.3. External Support: As development of planning policies is complex, it is common for Town/Parish Councils engage consultant(s) to support/inform their project. For example:
  - The working group may wish to engage a consultant in a mentoring role to support and guide the project towards a robust and fit for purpose NP. Subject to the knowledge within the working group, Consultants, may be engaged in a more active role.
  - The working group may wish to engage consultants to undertake specialist studies such as a Housing Needs Assessment, Tree Survey, Design Codes.
- 3.4. Funding:
  - It’s recognised that the work and evidence required to develop a Neighbourhood Plan is costly. Government grant funding is available, currently up to £10,000 which can be used to pay for specialist studies and consultancy. Additional grants may be available for some extras such as Design Code work.
  - WHPC holds earmarked reserves of £5,000 for Local/Neighbourhood Plan Consultancy.
- 3.5. Other costs: There will be admin costs, including room hire, occasional overtime payments for the Clerk, printing costs for consultation events and Plan documents.
- 3.6. Activities in the first year of the project would typically include all or some of the following:
  - Establish a Working Group
  - Confirm Terms of Reference
  - Working Group (operational/office costs/room bookings, printing, Clerk/secretarial support)
  - Engage NP Consultant/Mentor
  - Produce a project timetable and budget
  - Briefing/Training workshop for the Working Group.
  - Hold a consultation event in Spring 2025 to launch the project, get community involvement, and identify Issues and Options.
  - Work will then start on drafting policies and preparing a draft Plan for consultation
  - Housing Needs Assessment
  - Design Code preparation
  - Tree / Ecology Survey

#### **4. For Decision:**

- 4.1. Does the Parish Council consider it can progress a Neighbourhood Plan for the West Hill Neighbourhood Area?**
- 4.2. To confirm the decision to Ottery St Mary Town Council.**
- 4.3. If WHPC considers it can progress a NP:**
  - a. To confirm a start date for the project**
  - b. To establish a Working Group including a councillor representative.**
  - c. To approve Terms of Reference for the Neighbourhood Plan Working Group.**
  - d. Confirm funding allocation for 2024/25 and 2025/26.**

West Hill Parish Council  
Neighbourhood Plan Working Group  
Terms of Reference

For consideration at WHPC Meeting 3<sup>rd</sup> December 2024 Agenda Item 24/359

1. Purpose

- 1.1. The main purpose of the West Hill Parish Council Neighbourhood Plan (NP) Working Group is to progress the preparation of the Neighbourhood Plan for West Hill ensuring that all issues are addressed properly with high levels of community engagement to maximise the potential that the Plan will be supported at the local referendum.

2. Roles and Responsibilities:

- 2.1. WHPC is the “Qualifying Body” and would have ultimate responsibility for the Neighbourhood Plan (NP).

However, the bulk of the actual work could be done by a working group which would have delegated powers to produce the NP. (Appendix 1 Draft Terms of Reference)

- 2.2. In order to achieve this, WHPC’s Neighbourhood (NP) Working Group will carry out the following roles:

- Be accountable for the preparation of the Neighbourhood Plan for West Hill;
- Produce and monitor a project timetable;
- Produce a consultation and engagement strategy, showing how the public will be involved throughout the process;
- Regularly report back to the Parish Council and gain endorsement on decisions taken;
- To undertake analysis and evidence gathering to support the plan production process;
- Agree, subject to ratification by the Parish Council, a final submission version of the West Hill Neighbourhood Development Plan;
- Actively support and promote the preparation of the West Hill NP throughout the duration of the project;
- Identify sources of funding; and
- Liaise with relevant authorities and organisations to make the plan as effective as possible.

3. Membership

- 3.1. The NP Working Group will be made up of a cross-section of volunteers from the community, 1-2 Parish Councillors, supported by the Parish Clerk.
- 3.2. Membership of the Working Group will be open to the public indefinitely, by application, up to a maximum of 10 members.

4. Decision Making

- 4.1. The NP Working Group is established as having full delegated authority from the Parish Council to deliver its plan-making functions up to and including publication of the Consultation Draft Plan. The Group will report monthly to the Parish Council setting out progress on its work. The Parish Council will approve the Submission Draft Neighbourhood Plan prior to publication for consultation and independent examination.

- 4.2. The plan-making process remains in the control of the Parish Council as the qualifying body. All publications, consultation and community engagement exercises will be undertaken by or on behalf of the Parish Council with appropriate recognition of the Parish Council's position given in all communications associated with the project.

## 5. Meetings

- 5.1. Working Group meetings will take place at least once every two months.
- 5.2. Where possible, all meetings should be held within the Parish.
- 5.3. The NP Working Group will elect a Chair from its membership.
- 5.4. A record of meetings will be made and circulated to Working Group members and the Parish Council in a timely fashion.
- 5.5. Decisions made by the NP Working Group should normally be by consensus at Working Group meetings. Where a vote is required, each member shall have one vote. A minimum of three members shall be present where matters are presented for decisions to be taken. A simple majority vote will be required to support any motion. The Chairman shall have one casting vote.

## 6. Working Groups

- 6.1. The NP Working Group may establish sub-groups, made up of volunteers from the community to aid them in any Neighbourhood Plan related work.
- 6.2. Each sub-group should have a lead person from the NP Working Group.

## 7. Finance

- 7.1. All grants and funding will be applied for and held by the Parish Council, who will ring-fence the funds for Neighbourhood Plan work.
- 7.2. The NP Working Group will notify the Parish Council, advising them of any planned expenditure before it is incurred.
- 7.3. NP Working Group members and volunteers from any working groups may claim back any previously agreed expenditure incurred during any Neighbourhood Plan related work.

## 8. Conduct

- 8.1. It is expected that all Working Group members abide by the principles and practice of the Parish Council Code of Conduct including declarations of interest.