

Neighbourhood Plan and Posbrook Planning Appeal – November 2018

When the Posbrook appeal was first announced, Titchfield Neighbourhood Forum made an application to make a statement at the appeal. This is known as a Rule 6 application.

Our case at the appeal will be based upon the fact that the proposed Posbrook development conflicts with many of the proposed policies in the Titchfield Draft Neighbourhood Plan

Government planning guidance (see below) states that planning decisions should have regard to emerging Neighbourhood Plans, depending upon how far the Plan has progressed.

The Titchfield Neighbourhood Plan is an 'emerging plan' and will be reaching its final stages at the time of the Posbrook appeal. As such it should carry significant weight in the decision-making process of the planning inspector, hopefully contributing to the appeal being unsuccessful.

The Neighbourhood Plan and Forum are working for the community in resisting unwanted development.

Briefing note: Weight of emerging Neighbourhood Plans

Communities preparing neighbourhood plans will want to know when their draft plans can be taken into account in planning decisions, especially if planning applications are submitted while the community is in the process of preparing a neighbourhood plan.

Valid planning applications have to be determined – the Local Planning Authority cannot refuse to consider, or delay a decision on a planning application because a community is preparing a neighbourhood plan. However, like all planning policy documents, neighbourhood plans will gather increasing weight as a material consideration, the further they get through the process.

For all Plans the National Planning Policy Framework says:

From the day of publication, decision-takers may also give weight (unless other material considerations indicate otherwise) to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). (NPPF Annex 1 - para 216)*

National Planning Policy Guidance says:

'An emerging neighbourhood plan may be a material consideration.Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies....Decision makers should respect evidence of local support prior to referendum when seeking to apply weight to an emerging neighbourhood plan.' (NPPG Neighbourhood Planning para 07)