

Harberton Parish Neighbourhood Plan (HNP)

7.00pm Monday 23rd January 2023 at Harbertonford Village Hall Meeting Room

In attendance: Cllr Douglas Hambly, Peter Cogley (Observer), Cllr Chris Bowley, Jem Friar, Sally Lougher. Cllr Prana Simon

Apologies: Alex Crowe

Minutes: Cat Radford

Agenda

Public Session

1. **Apologies** were received as above.
2. **Elect new members to the committee** None.
3. **Declaration of Interests**
 - 3.1. Register of Interests: Steering Group members were reminded of the need to keep their register of interests up to date.
 - 3.2. No interested were declared on items on the agenda
4. **Approve Minutes** of the last meeting. Having made some amendments, it was AGREED to approve the minutes of the meeting of 19th December 2022 as an accurate record.
5. **Technical Package Update** summary of meetings held with AECOM and any actions
 - 5.1. Site Assessment and Strategic Environmental Assessment meeting Members of the Steering Group had met representatives from AECOM at an online meeting on 12th January 2023 to provide AECOM teams with a brief update on status of the parish's Neighbourhood Plan and to learn about the technical support packages being received. The following summary notes had been made to include in the minutes:
 - 5.1.1. Site Assessment Process
 - This technical package will establish how potential housing sites in the Parish meet local and national planning policy and whether there are any constraints on development.
 - The site assessment process separates whether a site is suitable for development from public opinion on whether sites are acceptable to the community for development.
 - At the end of the Site Assessment Process the Steering Group will be issued with a report that lists all potential housing sites, locates them on a map and then provides an assessment against a range of planning considerations. Each site is given a red, amber or green status denoting suitability for development and suitability for inclusion in the Neighbourhood Plan. This information will provide the Neighbourhood Plan Steering Group information on which to shortlist sites for community consultation and enter into discussion with landowners.
 - During the Site Assessment Process AECOM will undertake a review of the sites that came forward in the 2022 call for sites and will also review the sites in the parish that came forward in the Local Authority's Strategic Housing Land Availability Assessment (SHLAA). The South Hams District Council and West Devon Borough Council SHLAA was concluded in March 2017 but it is believed that the call for sites took place much earlier than this.
 - It was discussed whether AECOM will undertake a review of any sites within the draft plan that did not resubmit in 2022 or sites within the plan that the Neighbourhood Plan Steering Group had previously discounted, the petrol station site for example. It was commented that it is a requirement for inclusion that sites are available for development. Should the Steering Group wish AECOM to assess any sites that did not resubmit it would need to establish if they were still available or have been withdrawn.
 - It was also noted that a Harbertonford landowner did not submit a potential site as it was the opinion of the land agent that there would be constraints to development. It was agreed to encourage the landowner to submit a 'call for sites' form to establish if those constraints do indeed exist as part of the site assessment process.
 - The Steering Group were informed that AECOM would first undertake a desktop assessment of all the sites, following which they would come to the Parish to undertake site surveys. It would be necessary to have details of all sites for inclusion at this stage. It was commented that the Steering Group would be welcome to join site survey visits. This isn't absolutely necessary but local input would be helpful.
 - During the meeting it was enquired that if preferred housing sites do not come forward within the Neighbourhood Plan could they be imposed on the community by the local authority? In response it was commented that the local authority's Local Plan has set a housing requirement for each local area.

Communities have been given a chance to allocate sites first, through the Neighbourhood Planning process. It was commented that the message to the community is that there is a requirement for the housing area and the local community has the ability to influence this.

- **Meeting Actions:** Cat agreed to forward all responses to the 2022 call for sites and the Neighbourhood Plan Steering Group's response to the SHLAA during consultation on the Local Plan. Cat agreed to encourage an additional application from the Harbertonford landowner who's land agent had thought their site unsuitable for development.
- During discussion the following actions were agreed:
ACTION: Prana will seek to find out who owns the land next to the Old Police House as this could be a potential development site, for either housing or parking.
ACTION: Chris agreed to make contact with the owners of the land at Packs Close to confirm if the site is available or if has definitely been withdrawn.

5.1.2. Strategic Environmental Assessment (SEA)

- There are three stages of a Strategic Environmental Assessment (SEA). The first is to undertake a screening to establish if the Neighbourhood Plan requires a SEA. As the Neighbourhood Plan is seeking to allocate new sites for housing and because there are environmental constraints, a SEA is required. The second is to undertake a scoping exercise in order to form a picture of what the key issues are for the neighbourhood area. A scoping report is produced which establishes a framework for the questions to include in the next stage of the SEA. The scoping report is sent to a number of statutory consultees for their input. This includes organisations such as Historic England, Natural England and others. The third and final stage is the development of a report that will accompany evidence at regulation 14 – the stage of the Neighbourhood Planning process in which there is a pre-submission consultation process.
- It was queried whether the phase 2 scoping report would go to the community for consultation. AECOM responded that scoping reports have sometimes been put out to the community but consider this to be a mistake. They commented that SEA is complex at the best of times, people don't have a clear understanding of it. The final environmental report will go out with regulation 14 to the general public who will have the opportunity to comment on the SEA then. The point of the report is to comment on the likely effects of the plan at the key stage where the public will have their say.
- The final report will include:
 - a summary of the 5 week scoping stage, the responses from the scoping consultation and how those responses have been considered
 - appraisal of the Neighbourhood Plan policies, looking at how the policies perform against particular themes. Some recommendations might be made on how to strengthen those policies.
 - Consideration of reasonable alternatives – the SEA would look at the pros and cons of taking forward particular sites from an environmental perspective. This enables the Neighbourhood Planning Steering Group to look at what packages of sites could come forward to meet the site assessment from both a planning perspective (through the Site Assessment Process) and an environmental perspective (through the SEA).
- AECOM will look to the draft Neighbourhood Plan as it currently stands as input to the SEA.
- The Steering Group was asked to provide information on any other documentation or reports or information from the community that could provide input at the scoping stage.
- It was commented that members of the current Steering Group think that the neighbourhood plan needs work to bring it up to date and to make necessary improvements. There was concern that AECOM could put a lot of time and energy responding to a draft plan that the Steering Group is seeking to improve. It was responded that AECOM would prefer to look at a draft plan that, in the view of the Steering Group, is ready and good to go to regulation 14 in a few months. As the Steering Group is seeking to update policies and rewrite sections of the plan AECOM offered to undertake a high-level assessment at first, not a detailed policy review but providing comment on anything obvious that could be improved. It was commented that AECOM could make suggestions as to what evidence to look at and what material is available that supports plans around housing development. It was also commented that AECOM can provide support packages on developing the evidence base for a neighbourhood plan and a package that provides a review of how policies are written.
- A query was raised about the inclusion of policies within the neighbourhood plan that refer to renewable energy. It was responded that neighbourhood plans must focus on land use. A neighbourhood plan can make any kind of land use allocations (for car parks, or for renewable energy for example) but must put forward concrete and specific proposals, including if such development were to happen, where it would be acceptable. It was the opinion of the AECOM team that 'wishy washy' aspirations are not appropriate for inclusion in the plan and should be discouraged. It was commented that the following example of an aspiration may be appropriate: 'the Neighbourhood Plan would encourage aspirations for renewable energy in these parts of the village...'
- **Meeting actions:** Peter agreed to send work undertaken on 'favourite views' and results of research on highways constraints. Prana would send a link to the material available on The Harbertonford Community Ltd website, providing information about the community shop, road safety and the project to bring the

Harbertonford shop into community ownership. AECOM would forward an example Scoping Report for information and some pointers for information that would be useful for the scoping report that they may not have access to. AECOM would also supply links to other technical packages that could be useful to the Steering Group.

It was noted that AECOM had sent a follow up email. **ACTION: Cat** to ensure that the email from the SEA team at AECOM has been forwarded to all Steering Group members.

- 5.2. Design Codes Technical Support Package It was reported that AECOM has requested a meeting to kick off work on Design Codes. AECOM consultants had indicated that it would be good to get a group of Steering Group members together for this, although not crucial as they would want to meet when they come to have a look around. **ACTION: Cat, Sally and Peter** will attend the first online meeting with AECOM'S Design Codes team at 2pm on 31st January 2023.

6. Consultation Event Planning

6.1. Report on Actions from last meeting

6.1.1. **Prana** agreed to speak with John McKay with regard to his email reach and if he would share information about exhibition and a link to the material on the Parish Council website, once published. ONGOING.

6.1.2. **Alex** offered to look at the questionnaires used in 2015 and give a broad view of the questions asked then and how this may inform consultation questions asked in 2023 ONGOING

6.1.3. **Peter** agreed to review the 2015 questionnaire with regard to wording about 'favourite views' to take this question forward in a more specific manner. Peter had circulated a paper on this with the observation that it is a complex subject with many nuances and no definition in law. A working suggestion was to include a question such as, 'What public views do you value in this Parish that you would like to see preserved if possible in the HNP? Please give your reasoning'. It was commented that this wording was not yet entirely satisfactory and should be refined further, perhaps with input from AECOM. **ACTION: Peter** agreed to forward his most recent research on this matter to AECOM for input.

- 6.2. Opportunity for discussion on consultation planning and new actions going forward. It was commented that due to the delay in AECOM starting work on the Site Assessment process a consultation event in April could be taking place too soon to properly prepare and advertise. After discussion it was agreed to begin compiling advertising materials now but have the flexibility to change the dates should there be delays in receiving the final report.

ACTION: Sally will make 'fall back' bookings with halls in both villages on dates between 13th -20th May just in case it is necessary to delay.

ACTION: Cat will draft a small trailer/teaser piece for Village Life to update on the actions taking place around developing the Neighbourhood Plan and to indicate that a consultation is coming in April/May, dates to be confirmed.

7. Draft Plan updates

7.1. Report on actions from last meeting

7.1.1. **Peter** offered to continue to look at aspects of the plan relevant to Highways. Peter had circulated further research on the South Hams District Council Planning Committee's consideration of application 3628/17/FUL at Oak Tree Field at SX 778 588, Tristford Road, Harberton for erection of 12 dwellings, workshop/office, associated landscaping and site development works. Planning Committee minutes note that whilst the comments of the Highways Officer were accepted, the majority of Members had attended the site inspection and seen the junction for themselves, Members overriding view was that the small number of additional vehicle movements arising from the development would not result in an adverse impact on Highways safety. Conditional planning permission was granted for two reasons: 1: The benefits of the scheme outweigh the highways objection and it is not considered such an unacceptable impact on highway safety. 2: Harberton has been identified as a Sustainable Village within the Joint Local Plan (JLP) with an indicative figure of 20 dwellings, and any development in and around the village will have some impact on the highway.

It was agreed that the Steering Group will be interested to see how AECOM addresses this ability to overrule national standards for highways.

It was also noted that it is recorded in the minutes that the Joint Local Plan's requirement for 20 houses in Harberton predates this approval, therefore as a result of the Oak Tree Field approval for 12 dwelling, only 8 dwellings need to be found in Harberton.

There was discussion as to whether this was also the case with new developments coming forward in Harbertonford. 4 dwellings have been given approval at the Old Mill and further dwellings have been given approval on Woodcourt Road.

ACTION: Cat agreed to seek advice of the South Hams Neighbourhood Planning Officer to confirm whether development that has been approved in recent years counts towards housing allocation figures, and how these developments should be referred to within the Neighbourhood Plan document.

7.1.2. **Chris** commented that there may be resources available to the Tree Warden network with regard to maintaining particular views. He agreed to look into this and report back. ONGOING

7.1.3. **Cat** agreed to liaise with the new Neighbourhood Plan Officer what has replaced the Devon Rule. The Neighbourhood Plan Officer had forwarded information from Strategic Planning indicating that there are various local housing allocation policies in place that may be useful to refer to in the plan. It was noted that a **future action when reviewing the Plan** is to check references to a 'Devon Rule' against current housing allocation documents and Joint Local Plan policies as listed below, to ensure wording is up to date.

- Devon Rule might refer to the local housing allocation policy which is set out in the following documents:
 - Devon Home Choice is a choice based letting scheme that covers the whole of Devon and explains how local authority and housing association homes across Devon will be let. It explains how to apply for housing, who is eligible and how applicants will be assessed and prioritised. All applicants are assessed in the same way, using the rules set out in the Devon Home Choice policy document to ensure fairness and consistency. South Hams DC coordinates Devon Home Choice within South Hams and maintains a housing register for all Registered Providers operating within the area.
 - South Hams Local Allocation Policy –The Devon Home Choice Policy forms the best part of the Council's allocation policy but this also sets out how the Council deal with specific local issues outside the Devon Home Choice based lettings system. For example, it has a specific policy on Local Housing Needs – whilst choice will be extended as widely as possible, certain housing schemes may only be let to applicants with a local housing need. See paras 5.10 to 5.14 for more detail and the criteria used to determine whether a household can demonstrate a local connection.
- There are also Joint Local Plan policies that refer to a local connection that may also be of interest, including:
 - Plymouth & South West Devon Joint Local Plan – Policy TTV27 'Meeting local housing needs in rural areas', p 245, supports community led housing initiatives on rural exception sites for affordable housing on sites adjoining or very near to an existing settlement which would not otherwise be permitted.
 - New affordable housing is subject to eligibility criteria requiring a local connection, and suppressed in value against open market values in perpetuity to ensure that dwellings continue to meet the affordable housing needs of local people. Further information on this policy is provided in the JLP Supplementary Planning Document (July 2020), p 213-214.

The officer had commented that the demand for affordable housing in the South Hams is very high and this demand cannot currently be fully met. Consequently, more often than not, only those in the greatest housing need are likely to obtain suitable accommodation, which means that the degree of choice will always be limited.

7.1.4. **Cat** to check whether the 'Green Space Designations' that appeared in the 2018 draft have been updated as it was understood that work had been undertaken on these. It was confirmed that work was undertaken on 'Green Space Designations' in March and April of 2019 with all amendments recorded in the minutes. Minutes have been checked against the most recent published draft of the plan and are in agreement. **Future action when reviewing the draft Plan:** It was noted that it was expected that designated green spaces would be identified on a map, which has yet to be actioned.

7.1.5. **Prana** agreed to liaise with South Hams with regard to the village boundaries and village centre definition. It was noted that the Neighbourhood Plan Officer has been advised that there are no development boundaries in any Development Plan Documents, unless the Neighbourhood Plan Group identified and adopted them in the last version of the HNP, which is not the case. The SHDC officer can provide assistance to help define the current edge of settlement, but SHDC cannot identify any line on a map that hasn't been identified in previous versions of a Neighbourhood Plan because the JLP didn't do that for any village.

The Neighbourhood Plan Officer can introduce the Steering Group to a staff member who could help to identify a boundary for the NP /review. It is at the discretion of the NP Group to identify a methodology for what will and will not be included, and a rationale for where the line is drawn. It was advised if sites are to be allocated, the Steering Group will need to consider wrapping the line around sites to be allocated, but not others.

After discussion **it was AGREED** to make further enquires to establish what might be involved in doing this, although it was noted that the Parish Council had previously resolved not to create village development boundaries and it would be appropriate for the Parish Council to be given the opportunity to re-evaluate this view before the Steering Group were to proceed. **ACTION: Prana** to follow up SHDC Neighbourhood Plan Officer's offer to make an introduction to a member of staff who could help to identify a boundary for NP development. **ACTION: Cat** to include on the next Parish Council agenda and for Prana to introduce to cllrs for discussion by Full Council.

7.1.6. **Cat** agreed to liaise with the SHDC Neighbourhood Plan Officer to enquire if there had been any good examples of a principal residence policy in any adopted plans in the South Hams. In response, the Steering Group had been pointed towards the Kingsbridge and Dartmouth Neighbourhood Plans. Both plans refer to the Local Authority's support in principle to the inclusion of a Principle Residence policy in Neighbourhood Plans where such a requirement is justified. Dartmouth Neighbourhood Plan has adopted a Principal Residence Policy, providing justification through evidence of the high proportion of holiday and second homes in the town. In 2011 the proportion stood at 22.6% which was already above the 20% threshold commonly used as a benchmark figure in relation to the inclusion of a principal residence provision in a plan. At the end of November 2020, it stood at 37.8%. Kingsbridge Neighbourhood Plan does not yet have a policy but supports this in principle should evidence arise in the future that justifies such a policy.

Future action when reviewing the draft Plan: After discussion **it was AGREED** that Harberton Parish Neighbourhood Plan should follow the Kingsbridge Neighbourhood Plan Lead and draft similar narrative that supports the principle of the inclusion of a Principle Residence Policy should evidence arise in future that justifies such a policy. It was noted that some research had been undertaken in the Housing Needs Assessment document providing an estimate to the number of second and holiday homes in the Parish.

7.2. Opportunity for discussion on findings, further plan modifications and any new actions going forward. It was agreed that a list of 'future actions when reviewing the draft Plan' should be compiled to refer to when work on the narrative commences.

8. **Report on outcome of request for funds from the Parish Council for 23/24** It was reported that the Parish Council had allocated a budget of £2335 for the Neighbourhood Plan in the 2023/24 financial year. This was based on a draft budget that Sally had provided on the estimated costs of running two consultation events spring 2023, plus an amount for room hire for regular meetings. This figure includes all carried forward underspend in the 2022/23 financial year.

9. **Consider request for engagement from SHDC Affordable Housing Officer** It was agreed to invite the Affordable Housing Officer to the next Steering Group meeting to talk about affordable housing. It was noted that the District Council declared a housing crisis last year and is keen to support communities to deliver affordable housing. Although the Community Land Trust site is coming forward at Oak Tree Field in Harberton, it is for shared ownership and there is still a need for rented housing in the parish. The Officer will explain the different housing tenures, funding sources and potential Housing Association partners that could help deliver a site for affordable housing.

10. Any other business

10.1. Designation of Neighbourhood Plan Area Date The SHDC Neighbourhood Plan officer has raised a query regarding references to date of designation of the Neighbourhood Plan area. The draft references this as February 2013, when minutes of the Executive Committee of South Hams District Council notes the area of designation was approved at the meeting of 21st March 2013. It was thought that reference to February 2013 likely came from the Plan Area Application notice, which gave a deadline for comment relating to the designation of the plan area as 15th February 2013. **It was AGREED** to amend date references to designation of the Neighbourhood Plan Area to date of approval, 21st March 2013 to mitigate any potential future procedural errors.

11. Summary of actions before next meeting

Ongoing actions:

- **Prana** agreed to speak with John McKay with regard to his email reach and if he would share information about exhibition and a link to the material on the Parish Council website, once published.
- **Alex** offered to look at the questionnaires used in 2015 and give a broad view of the questions asked then and how this may inform consultation questions asked in 2023.

New actions:

- **ACTION: Prana** will seek to find out who owns the land next to the Old Police House as this could be a potential development site, for either housing or parking.
- **ACTION: Chris** agreed to make contact with the owners of the land at Packs Close to confirm if the site is available or if it has definitely been withdrawn.
- **ACTION: Cat** to ensure that the email from the SEA team at AECOM has been forwarded to all Steering Group members.
- **ACTION: Cat, Sally and Peter** will attend the first online meeting with AECOM Design Codes team at 2pm on 31st January 2023.
- **ACTION: Peter** to forward most recent research on Highways to AECOM for information.
- **ACTION: Peter** agreed to forward his most recent research on preservation of public views to AECOM for input.
- **ACTION: Sally** will make 'fall back' bookings with halls in both villages on dates between 13th -20th May just in case it is necessary to delay April's consultation.
- **ACTION: Cat** will draft a small trailer/teaser piece for Village Life to update on the actions taking place around developing the Neighbourhood Plan and to indicate that a consultation is coming in April/May, dates to be confirmed.
- **ACTION: Cat** agreed to seek advice of the South Hams Neighbourhood Planning Officer to confirm whether development that has been approved in recent years counts towards housing allocation figures, and how these developments should be referred to within the Neighbourhood Plan document.
- **ACTION: Prana** to follow up SHDC Neighbourhood Plan Officer's offer to make an introduction to a member of staff who could help to identify a boundary for NP development.
- **ACTION: Cat** to include on the next Parish Council agenda and for Prana to introduce to cllrs for discussion by Full Council.

Future actions when reviewing draft narrative of the Neighbourhood Plan:

- Check references to a 'Devon Rule' against current housing allocation documents and Joint Local Plan policies listed within these minutes to ensure wording is up to date.
- Identify designated green spaces on a map for inclusion in the plan.
- To follow the Kingsbridge Neighbourhood Plan Lead and draft similar narrative that supports the principle of the inclusion of a Principle Residence Policy should evidence arise in future that justifies such a policy. It was noted that some research had been undertaken in the Housing Needs Assessment document providing an estimate to the number of second and holiday homes in the Parish.
- Amend the date of the designation of the Neighbourhood Plan Area from February 2013 to date of approval, 21st March 2013, evidenced in the minutes of the meeting of South Hams District Council Executive.

12. Date of next meeting 20th February 2023.

Meeting closed at 20:30