

Harberton Parish Neighbourhood Plan (HNP) Minutes of the meeting of the Steering Group

Held at 7.00pm Monday 21st October 2024 at Harberton Parish Hall Committee Room

Committee members in attendance: Alex Crowe, Sally Lougher, Joanna Poulton, Guy Soulsby, Francesca Smith, Jonathon Stirrup, Anne Watson

Apologies: Cllr Douglas Hambly

Not present: Cllr Chris Bowley, Jem Friar.

Clerk/minutes secretary: Cat Radford (notes)

Members of the public: 8

The first 15 minutes of the meeting was given over to enable members of the Harberton Parish Neighbourhood Plan Steering Group (HNPSG) to read papers tabled. This included correspondence from the Neighbourhood Planning Officer at South Hams District Council received that morning.

Public Session

- The landowner of land at Winsland House Farm commented that Eden Property Group had received a reply to the letter written to the Neighbourhood Planning Officer at South Hams District Council (SHDC). It was commented that Eden Property Group will be challenging the content of the reply, making comment that the advice given to the HNPSG is Officer opinion. It was noted that the Parish Clerk (Cat) had been copied into an email response from Eden Property Group, and further correspondence from the Neighbourhood Planning Officer for the attention of the HNPSG had been received that morning. A section of that letter was read to the meeting. To avoid duplication within the minutes, the section read to the meeting is underlined (see below).
- The land promoters of the site at Ford Farm commented that they would be pleased to see the content of the emails if they were made available. The Steering Group agreed to publication, and therefore the full content of the email received from the Neighbourhood Planning Officer dated 21st October 2024 follows:

"Last Thursday I sent a detailed response to [the Head of Planning at Eden Property Group] re. the HNP/Winsland House. This was copied to you.

The purpose of this e-m is to give advice on this matter specifically to the NP group.

One of the key issues raised is whether an allocation of land in the vicinity of Winsland House would satisfy the Joint Local Plan's indicative housing figures for Harberton and Harbertonford. The answer to this is that it would not. As explained in my response to [the Head of Planning at Eden Property Group], these 'indicative levels of new housing in Sustainable Villages' are required to be delivered at the named villages. In giving this advice, I have liaised with my planning policy officer colleague in the JLP team – i.e. this is not just my opinion. My colleague commented: 'Any suggestion that this site (land at Winsland House) could meaningfully contribute to the figures identified in JLP figure 5.8 for the sustainable villages is based on a fundamental misunderstanding of the plan and policy intentions. The proposal site has no functional relationship with either of the named sustainable villages in the parish of Harberton, and cannot reasonably be expected to enhance the vitality or viability of either village.'

If the NP allocates a site(s) elsewhere in the parish for housing development this could not prevent proposals also coming forward for development at Harberton or Harbertonford. If the details of any such applications were acceptable in planning terms, it would be likely that planning permission would be granted, because the principle of some housing development at the Sustainable Villages has been established in the JLP. The JLP states (at para. 5.162) 'where there is no neighbourhood plan, development proposals could come forward through the planning application process, and these would be assessed against the policies of the JLP'. This principle applies equally in the case where there is a NP that does not allocate a site(s) at a Sustainable Village.

In my opinion, it is better for NPs to address this issue and allocate suitable sites where possible. If there is no NP, or the NP is silent on this issue, it leaves the door open for sites to be promoted by landowners/developers with significantly less scope for the local community to influence the outcome. Identifying a site(s) at the Sustainable Villages in the NP gives the local community the opportunity to identify their favoured location(s). It also provides scope for the allocation policy to influence the form of the development by setting-out in the policy parameters for the development and also, for example, what community facilities should be delivered in conjunction with it.

A further aspect of allocations at the Sustainable Villages is this: If, having gone through a robust process of site identification and assessment, it is concluded that suitable sites to accommodate the

indicative housing numbers of 30 dwellings in Harbertonford and 20 dwellings in Harberton cannot be identified, there is no requirement in the JLP that this be made-up for elsewhere in the parish. An example of a similar scenario is the Staverton NP (adopted June this year). The JLP gives indicative housing levels of 20 dwellings in Staverton and 20 dwellings in Woolston Green, but the NP only allocated a total of 20 dwellings at Woolston Green. This did not cause any issues at Examination stage and the NP was duly adopted without any site allocation(s) at Staverton village. This conclusion was reached based on the evidence gathered during the NP preparation process. This brings me to the site assessment work undertaken to inform the HNP. Very few sites came forward through the call for sites process in Harbertonford. This led to only three sites at Harbertonford being assessed in the AECOM Site Options and Assessment report, and of these, two were rated as Red sites (not suitable for development). The third site was rated Amber, but only has the capacity to accommodate one dwelling. Given its very small size it is below the minimum threshold size for allocation. Therefore, the evidence supports the non-allocation of a housing site(s) in Harbertonford. There is no requirement that this 'shortfall' is made-up for elsewhere.

The NP needs to be evidence-led. A key part of your evidence base is the AECOM Site Options and Assessment report. This has concluded that the Winsland House site is 'not suitable for development' for several reasons and it is accordingly given a site rating of Red. A Red rating 'indicates the site is not appropriate for allocation through the Neighbourhood Plan' (AECOM report, para.5.1).

Finally, a NP Examination focusses on whether the plan meets the Basic Conditions. These include assessment of whether the plan: has regard to national policies and advice contained in guidance issued by the Secretary of State; contributes to the achievement of sustainable development, and; is in general conformity with the strategic policies contained in the Development Plan for the area. In my opinion the allocation in the NP of a site for development at Winsland House would potentially cause the NP to 'fail' at Examination stage when assessed against these Basic Conditions. The National Planning Policy Framework seeks to protect designated heritage assets from harm – directly to the heritage asset or from development within its setting. I have been advised by my Heritage colleague that there would very likely be fundamental opposition to any development within the parkland setting of Winsland House and that a strong heritage objection is the likely response if this site is identified in the NP. Also, as explained in my response to [the Head of Planning at Eden Property Group], in my opinion the allocation of this site would not be in general conformity with the strategic policies of the Development Plan (the JLP). A neighbourhood plan Examination is concerned solely with determining whether or not the plan meets the Basic Conditions, and the Examiner has no authority to determine issues that go to the merits of the plan (such as 'would an alternative strategy be appropriate?').

In conclusion: My response to your 'key question that requires clarification is on whether allocating the land adjacent to Winsland House in the HNP would contribute towards the indicative housing numbers for the Sustainable Villages as set out in the adopted Joint Local Plan.' The answer to this is no, it would not.

My question to you is – why include such a site in the NP, which would increase significantly the risk of the plan not meeting the Basic Conditions, when there is absolutely no need to do so? A NP 'failing' in this way at Examination would potentially face significant time delays (as it would have to address the Basic Conditions issues and be amended accordingly, then potentially go through consultation and be re-examined).

Agenda

1. **Apologies** were accepted as above. As Cllr Hambly was not in attendance Joanna Poulter agreed to chair the meeting.
2. **Elect new members to the committee** (if any). None.
3. **Declaration of Interests**
 - 3.1. Register of Interests: Steering group members were reminded of the need to update their register of interests if they have changed.
 - 3.2. To declare any interests No interests were declared on items on the agenda.
4. **Minutes** Consider approval of the following minutes:
It was AGREED to approve the minutes of the meeting of the Harberton Parish Neighbourhood Plan Steering Group 14th October 2024 as an accurate record.

5. Update on actions from the meeting of 14th October 2024

Ref	Action/Task	Owner	Progress
2407158	Send the email as drafted by Alex to the green space landowners. (Using a list of the sites in the draft chapter to identify the landowners).	Cat	Ongoing
202410146.2	<p>Prepare note to PC (and for AECOM for SEA): proposing housing allocation policy + draft housing chapter</p> <p><i>Preparing a note to the Parish Council that summarises the outcome of the Steering Group's discussions on what the Neighbourhood Plan should say about allocating housing.</i></p> <p>To provide a discussion draft ahead of the next HNPSG meeting on Monday 21st October</p>	Alex	Ongoing, as no decisions have been made on housing allocation as yet.
202410146.2	<p>Provide a short first draft 'Summary of evidence on flood mitigation measures needed in Harberton and implications for the Neighbourhood Plan' for:</p> <ul style="list-style-type: none"> - discussion by the HNPSG, before - circulation to Devon County Council officers ahead of a planned 'Community Meeting on Flooding' in the Parish in planning for November. <p>To provide a discussion draft ahead of the next HNPSG meeting on Monday 21st October</p>	Delegated to Peter Cogley (a member of the public)	<p>It was reported that a first draft has been compiled but needs to be edited. It was commented that this could be complete before the proposed community meeting with Devon County Council Officers.</p> <p>It was AGREED that a small working group would meet with Peter to undertake the necessary edits and bring the paper to the next meeting of the Steering Group. ACTION: Guy, Jono, Alex volunteered to join that working group.</p> <p>Peter was thanked.</p>
202410146.2	<p>To revise the list of key tasks/actions as yet unallocated</p> <p>[Deadline unallocated]</p>	Alex	Ongoing.
202410146.2	Update draft Neighbourhood Plan <i>to include Parish Council comments on energy chapter, consultation responses re Local Green Spaces and Views, also add references to consultation throughout document as necessary (re roads parking flooding nature etc). Also work in other stakeholder comments outstanding (including District Council officers and comments from the District Councillor, John McKay).</i>	Alex	Ongoing.
202410146.2	Edit Parish Profile Annex <i>It was noted that the historic draft included a long annex giving information about the Parish – which is a really useful resource. It's good material but it needs editing).</i>	Joanna, Francesca (handover from Alex)	In process. It is expected that a draft will be brought to the next meeting.
202410146.2	Facilitate community to create list of Non-designated heritage assets (Heritage Chapter). <i>It was suggested someone to take this on, identifying what needs to happen and making a recommendation to the committee on how to do it.</i>	[Unallocated]	ACTION: Jono agreed to take this task forward
202410146.2	Create desired footpaths map (transport chapter) <i>Creation of this illustration/figure was connected to the task below.</i>	Guy	Ongoing.

20241014 6.2	Pursue Harberton footpath and bus stop with DCC See above.	Guy	Ongoing.
20241014 6.2	Get Foreword from the D.Cllr John McKay <i>Asking John to attend a meeting to discuss approach and asking him to follow through and produce a foreword.</i>	Alex, Jono	Ongoing.
20241014 6.2	Get selection of images to insert <i>This would include identifying 3-4 good, positive, relevant images for each chapter to break up and/or illustrate the narrative text. This would include chasing the request to AECOM to use images as included in the Design Code, and reviewing the images provided by Peter Cogley.</i>	Guy	Ongoing.
20241014 6.2	Create map of bus stops and safe crossing for use in the Transport chapter, possibly also places for pavement improvement in Harbertonford.	Guy	Ongoing.
20241014 6.2	Write Consultation Statement <i>This is an annex on "how this NP was created" and Basic Conditions Statement A requirement of all NPs. It was noted that there will be examples of approaches to these statements available from adopted NPs.</i>	Anne	It was reported that work has started in getting to grips with the requirements of both the Consultation and Basic Conditions statement. It was noted that the majority of the information that needs to go in will be based on the consultation to come.
20241014 6.2	Tidy up evidence base folder and create index <i>It was noted that material exists on the website and Alex has been keeping a folder, but this needs to be organised and properly indexed.</i>	[Unallocated]	It was commented that it has become clear that there are some interdependencies between tasks that have already been allocated and the indexing task, which has not. Having that job done would help other tasks move forward more effectively. ACTION: Sally to be briefed by Alex
20241014 6.2	Identify and commission copyeditor and designer for final form of doc <i>It was noted that there is the possibility of using the in-house team at South Hams District Council, but this will require a budget.</i>	[Unallocated until relevant]	<i>TBD at a future meeting.</i>
20241014 6.2	Checklist of final editing tasks incl <ul style="list-style-type: none"> • Add hyperlinks to references in text • Check permissions of people in photos (eg SHV photo currently used in Env chapter) Check all refs to NPPF - NPPF para numbers have changed in 2024 update.	[Unallocated until relevant]	<i>TBC at a future meeting.</i>
20241014 7.2	Contact the Neighbourhood Planning Officer at South Hams District Council to prompt a response to the letter from Eden Property Group Ltd before the next meeting of 21 st October 2024.	Cat	COMPLETED

It was commented that now that there were a number of new members to the HNPSG, that all members had read the full draft plan and had full confidence in the narrative as drafted. **It was AGREED** that all members would read the plan in detail, and bring questions and any comments on the text to an additional informal 'workshop' style meeting. This meeting should ensure that all members have confidence that development of the draft has been robust, and will identify any sections that need further attention. **ACTION: Cat** to circulate a doodle poll in order to arrange that meeting.
ACTION: ALL members to read the full draft Neighbourhood Plan in order to prepare, and then attend the workshop meeting.

6. Housing Chapter*

- 6.1. Consider proposed housing policy discussion document taking into account the consultation summary documents, comment arising from the meeting of the Parish Council 10th September 2024, correspondence received from a Member of the Public (circulated in advance). Papers tabled included correspondence from the Neighbourhood Planning Officer (as published above) and two papers prepared by the Clerk (Cat). The first proposed a review of the Site Options Assessment and the second provided information on the statutory consultation and examination process of a Neighbourhood Plan.

There was wide discussion of the sites and their status as 'suitable' or 'unsuitable' for development as detailed in the 2023 Site Options Assessment (SOA), of the content and responses of the recent housing consultation, of the impact of sites with planning permission on other sites in the Parish (i.e. Oak Tree Field) and on the examination process. There was discussion on the methodology on which the HNPSG will make its decisions on putting housing sites forward, referring to three steps: 1) That the evidence identifies the site to be allocatable; 2) Allocation of the site meets the objectives as set out in the Neighbourhood Plan; 3) Development of those sites is supported. During the discussion the following matters were agreed:

It was AGREED to minute that the CLT site at Oak Tree Field counts towards the indicative housing targets for Harberton.

It was AGREED to minute that there is an error in the AECOM Site Options Assessment that comments that the CLT site at Oak Tree Field does not count towards the indicative housing targets for Harberton.

It was AGREED that the HNPSG members could not make any decisions about housing allocation until further work has been undertaken to review the 2023 Site Options Assessment.

It was AGREED to request that AECOM review the Site Options Assessment report. It was noted that having made contact with consultants at AECOM, it had been suggested that this could include:

- an initial call with AECOM to understand the issues raised through consultation
- then a review of the SOA report in light of information or evidence received from site promoters
- This would allow AECOM to review all sites again and revise the SOA if necessary (or provide a statement to justify the existing conclusions) and to advise on how any changes could be dealt with going forward.

ACTION: Cat to follow up the application made for technical support to review the 2023 Site Options Assessment report, and to pursue a meeting to launch the support package. Joanna, Sally, Francesca, Guy, Jono and Alex expressed interest in attending this launch meeting and gave an indication of availability within office hours.

ACTION: ALL HNPSG members to re-read the 2023 Site Options Assessment and compile any questions, comments or notes on factual accuracy and send to **Cat** for them to be compiled. In discussion it was noted that as well as specific factual corrections, there were broader questions on whether any factors drawn on during the assessment process had changed since the report was drafted; e.g. whether the recent flooding event of September 2023 would make any difference to how the sites would be assessed now in 2024. These, along with other matters, would be listed by HNPSG members and forwarded to the Cat.

- 6.2. Consider publication of: a) the draft 'Summary of responses to housing consultation'; and b) 'Summary of Housing Consultation Events'

Following discussion **it was AGREED** to publish the consultation summary documents with minor amendments as discussed at the previous meeting, provided that the documents were published with an introductory statement to indicate that consideration of the results was still a work in progress. **ACTION: Joanna and Alex** agreed to draft the introductory statement to forward to **Cat**.

7. Technical Support funded by Locality

- 7.1. Strategic Environmental Assessment Technical Package

7.1.1. *Following discussion of item 6.1 consider responses to AECOM's questions to support preparation of the SEA.* It was noted that work on the SEA could not progress until the HNPSG was able to allocate the sites make any consideration on reasonable options for growth, or how much growth would be support until a review of the evidence base to date (the 2023 SOA) could be undertaken.

7.1.2. *Offering dates for an 'in office hours' meeting to discuss moving forward with the SEA* A meeting would not be pursued until the above matters could be resolved and until the HNPSG could hold its informal meeting to review the draft Neighbourhood Plan document.

- 7.2. Evidence Base and Policy Development Package* Consider dates to offer Locality for an 'in office hours' meeting to launch this technical package
It was commented that, whilst new members of HNPSG are keen to prioritise a review of the site options evidence base and the draft plan, the 'Evidence Base and Policy Development Package' may provide useful context and help in that work. **ACTION: Cat** to circulate information about what is included in the package for **ALL** HNPSG members to read and digest ahead of taking steps to launch the package.
- 7.3. Site Options Assessment Consider engagement with AECOM re the Site Options Assessment document The action to progress the technical package was minuted under item 6.1.
8. **Flood mitigation measures and implications for the Neighbourhood Plan document**
Discussion on short first draft (to be tabled) and actions required to take forward
Not discussed.
9. **Any other business** Not discussed.

10. Summary of actions before next meeting

Ref	Action/Task	Owner
240715 8	Send the email as drafted by Alex to the green space landowners. (Using a list of the sites in the draft chapter to identify the landowners).	Cat
20241014 6.2	Prepare note to PC (and for AECOM for SEA): proposing housing allocation policy + draft housing chapter. <i>NB this can only be actioned once housing allocations have been made.</i>	Alex
20241014 6.2 20241021 5	For a small working group bring an edited first draft 'Summary of evidence on flood mitigation measures needed in Harberton and implications for the Neighbourhood Plan' for: <ul style="list-style-type: none"> - discussion by the HNPSG - circulation to Devon County Council officers ahead of a planned 'Community Meeting on Flooding' in the Parish in planning for November. <p>To provide a discussion draft ahead of the next HNPSG meeting (November).</p>	Peter Cogley (a member of the public) with Guy, Jono, Alex
20241014 6.2	To revise the list of key tasks/actions as yet unallocated [Deadline unallocated]	Alex
20241014 6.2	Update draft Neighbourhood Plan to include Parish Council comments on energy chapter, consultation responses re Local Green Spaces and Views, also add references to consultation throughout document as necessary (re roads parking flooding nature etc). Also work in other stakeholder comments outstanding (including District Council officers and comments from the District Councillor, John McKay).	Alex
20241014 6.2 20241021 5	Bring a revised draft of the Parish Profile Annex to the November meeting of the HNPSG.	Joanna, Francesca
20241014 6.2 20241021 5	Identify an approach and make a recommendation to the committee on the creation of a list of non-designated heritage assets for inclusion in the Heritage Chapter.	Jono
20241014 6.2	Create desired footpaths map (transport chapter) <i>Creation of this illustration/figure is connected to the task below.</i>	Guy
20241014 6.2	Pursue Harberton footpath and bus stop with DCC See above.	Guy
20241014 6.2	Get Foreword from the D.Cllr John McKay <i>Asking John to attend a meeting to discuss approach and asking him to follow through and produce a foreword.</i>	Alex, Jono
20241014 6.2	Get selection of images to insert into the plan. <i>This would include identifying 3-4 good, positive, relevant images for each chapter to break up and/or illustrate the narrative text. This would include chasing the request to AECOM to use images as included in the Design Code, and reviewing the images provided by Peter Cogley.</i>	Guy
20241014 6.2	Create map of bus stops and safe crossing for use in the Transport chapter, possibly also places for pavement improvement in Harbertonford.	Guy
20241014	Write Consultation Statement <i>This is an annex on "how this NP was created" and</i>	Anne

6.2	Basic Conditions Statement <i>A requirement of all NPs. It was noted that there will be examples of approaches to these statements available from adopted NPs.</i>	
20241014 6.2	Tidy up evidence base folder and create index <i>It was noted that material exists on the website and Alex has been keeping a folder, but this needs to be organised and properly indexed.</i>	Sally , following briefing from Alex
20241014 6.2	Identify and commission copyeditor and designer for final form of doc <i>It was noted that there is the possibility of using the in-house team at South Hams District Council, but this will require a budget.</i>	[Unallocated until relevant]
20241014 6.2	Checklist of final editing tasks incl <ul style="list-style-type: none"> • Add hyperlinks to references in text • Check permissions of people in photos (eg SHV photo currently used in Env chapter) Check all refs to NPPF - NPPF para numbers have changed in 2024 update.	[Unallocated until relevant]
20241021 5	To circulate a doodle poll in order to arrange an informal 'workshop' style meeting to review the complete draft Neighbourhood Plan.	Cat
20241021 5	Read the full draft Neighbourhood Plan in order to prepare, and then attend the workshop meeting.	ALL
20241021 6.1	Follow up the application made for technical support to review the 2023 Site Options Assessment report, and to pursue a meeting to launch the support package. Joanna, Sally, Francesca, Guy, Jono and Alex expressed interest in attending this launch meeting and gave an indication of availability within office hours.	Cat
20241021 6.1	HNPSG members to re-read the 2023 Site Options Assessment and compile any questions, comments or notes on factual accuracy and send to Cat for them to be compiled.	ALL
20241021 6.2	Draft an introductory statement to be used on publication of the Summary of Housing Consultation Responses and Summary of Housing Consultation Events to forward to Cat .	Joanna and Alex
20241021 7.1.2	Cat to circulate information about what is included in the 'Evidence Base and Policy Development' package for ALL HNPSG members to read and digest ahead of taking steps to launch the package.	Cat and ALL

11. Date and venue of next meeting

After discussion **it was AGREED** to alternate the meetings between Harberton and Harbertonford, and to seek to move the meetings to the third Tuesday in the month (in place of Mondays).

Meeting closed at 21:15