

From: Graham Hunt
To: [Paula Fox](#)
Cc: ["Adrian Duffield"](#); [Graeme Markland](#); [Janet Wheeler](#)
Subject: FW: ANOTHER VERY SIGNIFICANT DECISION LETTER RE NEIGHBOURHOOD PLANS
Date: 29 September 2016 15:39:00

Paula

Thame Town Council have significant concerns on the amount of weight being given to adopted Neighbourhood Plans, particularly in the light of the change of position by the Planning Authority since the appeal rulings relating to the 5 year land supply. As far as I am aware, none of those appeal rulings related to an area with an adopted Neighbourhood Plan.

Below is an e-mail shared with us yesterday by Haddenham PC, which if accurate, makes the Secretary of State's position clear. Where there is an adopted Neighbourhood Plan and a 5 year land supply issue, para 198 should be given significant weight.

I know that in a recent case at Henley, and last night in relation to a more minor situation in Moreton, there seemed to be no weight given to para 198 of the NPPF – but that is now clearly crucial. The step back to para 49 / 14 is clearly relevant where there is no Neighbourhood Plan, but a Neighbourhood Plan, through para 198, provides protection. Those Henley / Moreton decisions are now gone, but I hope that future decisions can be more informed.

This is what I said last night re the Moreton planning application, after explaining where the application was in conflict with Thame Neighbourhood Plan policies:

“Given the clear conflict with TNP policy, I must now turn to the weight given to a Neighbourhood Plan in the National Planning Policy Framework. Thame has an adopted Neighbourhood Plan that includes the village of Moreton. Paragraph 198 of the NPPF states that “Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted”. Your Planning Officer's report should have given weight to this paragraph – but it is not mentioned in their report. At Great Horwood the Secretary of State has recently overturned a decision to approve such a conflicting planning application, in spite of a lack of 5 year land supply, on the basis of paragraph 198. NEIGHBOURHOOD PLANS HAVE WEIGHT!!

It is our view that the Planning Authority, for areas with an adopted Neighbourhood Plan, are giving in too early to the 5 year land supply issue. It is our understanding that the weight given to Neighbourhood Plans is such that they over rule 5 year land supply issues, and that as yet, no appeal has been won on a 5 year supply issue where there is an adopted Neighbourhood Plan.

The Planning Authority claim to support Neighbourhood Plans and are reliant on their future. By granting planning permission on this site, you would be putting a nail in the coffin of the highly respected Thame Neighbourhood Plan – and curbing enthusiasm for Neighbourhood Planning in Thame and throughout the country. You will also be acting in conflict with a flagship Government Policy; Neighbourhood Plans are here to stay.”

Although it did find favour with some Members, it would have been understood more had Para 198 been considered in the Planning Officer's report. In fact the verbal

summary given last night I don't think mentioned the Neighbourhood Plan at all...

Can you please investigate the background further, and brief planning officers as relevant?

Regards

Graham Hunt
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From: Mike Dyer [<mailto:mike@apxeurop.demon.co.uk>]
Sent: 28 September 2016 10:25
To: 'Sue Gilbert'; Graham Hunt; Bob Austin; David Bretherton
Subject: RE: ANOTHER VERY SIGNIFICANT DECISION LETTER RE NEIGHBOURHOOD PLANS

Excellent, Sue – many thanks for sharing, and please do keep 'em coming.

This could be a very significant ruling and power to our elbow. It's about time DCLG delivered on their soundbites regarding the primacy of Neighbourhood Plans and this is a nice starter.

Best Regards
Mike

From: Sue Gilbert [<mailto:haddenhampc@btconnect.com>]
Sent: Wednesday, September 28, 2016 10:15 AM
To: 'Graham Hunt'; 'Mike Dyer'; 'Bob Austin'; 'David Bretherton'
Subject: FW: ANOTHER VERY SIGNIFICANT DECISION LETTER RE NEIGHBOURHOOD PLANS

The attached will be of interest if SODC are minded to approve the Elms?

Kind regards

Sue

Mrs Sue Gilbert
Clerk to Haddenham Parish Council
Parish Council Office, Banks Park, Banks Road, Haddenham, Buckinghamshire. HP17 8EE
Phone: 01844 292411 email: haddenhampc@btconnect.com
Office hours: Monday - Friday 8.30-12.30

Dear All

Firstly, my apologies to those who have seen this information already.

From the attachment forwarded today by DCLG regarding the call-in Inquiry initiated by Great Horwood Parish Council, you will see that **both the Secretary of State and the Planning Inspector have overturned AVDC's decision to approve a planning application that was in**

direct conflict with the Great Horwood Neighbourhood Plan and have refused Taylor Wimpey's application.

The key reasons for refusal were as follows:-

- The Inspector and the Secretary of State both recognised the conflict of the application with Great Horwood's made Neighbourhood Plan, appreciating it as the premier document for Great Horwood Parish in the Development Plan and the fact that the Application is in direct conflict with its housing land delivery Policy 1.
- In the Secretary of State's decision letter it is stated that he ***in particular, gives substantial weight to the conflict with paragraph 198 of the Framework.*** This obviously indicates that the S o S confirms that where there is not a demonstrable 5 year housing land supply, Paragraph 198 is a very significant consideration in the planning balance, stating as it does that - *where a planning application conflicts with a Neighbourhood Plan that has been brought into force, planning permission should not normally be granted* and cannot be ignored.

In those decisions where AVDC approved applications that were in conflict with housing land supply policies in made Neighbourhood Plans, our Local Planning Authority consistently ignored any consideration of NPPF Paragraph 198 in the planning balance and failed to accord the right level of planning weight to the relevant policies in made Neighbourhood Plans. I would suggest that the message to AVDC from the Planning Inspector and the Secretary State is therefore very clear and unequivocal.

I am sure you will agree that today's news is excellent, supporting as it does not only made and emerging Neighbourhood Plans in the Vale but sending out the clear message nationally that the Secretary of State will step in to defend made Neighbourhood Plans whether where a call-in occurs because a decision to approve conflicts significantly with a NP or at Appeal.

Great Horwood Parish Council should be applauded for challenging the original decision for many reasons, not least the financial commitment in terms of legal representation and expert witnesses involved in a call-in Inquiry, where it is not possible to claim back costs.

Regards

Roy

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From: PCCUSER [<mailto:PCC@communities.gsi.gov.uk>]

Sent: 27 September 2016 09:31

To: PCCUSER <PCC@communities.gsi.gov.uk>

Subject: Land South of Weston Road, Great Horwood Buckinghamshire - 3137987

Good Morning,

Please find attached a combined documents comprising Final Decision letters and Inspector's

Report together with the right to challenge advice note for the above named case.

This documents will also be available to view and download on the DCLG website at <https://www.gov.uk/government/collections/planning-applications-called-in-decisions-and-recovered-appeals>

Planning Casework | Department for Communities and Local Government
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