

INDEPENDENT EXAMINATION OF THE LONGHORSLEY NEIGHBOURHOOD PLAN

EXAMINER: Patrick Whitehead DipTP (Nott) MRTPI

Mrs Gillian Turner
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Examination Ref: 02/PW/LNP

Via email: parishclerk@longhorsleyipc.org.uk
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cc: David.English@northumberland.gov.uk

14 March 2018

Dear Mrs Turner and Mr Naples

LONGHORSLEY NEIGHBOURHOOD PLAN EXAMINATION

Subsequent to my Site Visit and from my initial reading of the Longhorsley Neighbourhood Plan and the supporting evidence including the responses to the latest consultation exercise, I wish to seek further clarification from Northumberland County Council (NCC) and the Qualifying Body (QB) in relation to **Policy LNP8 - Use of Affordable Housing for Local Needs**.

There are two parts to Policy LNP8:

The first part:

The Policy indicates that occupation of affordable housing will be controlled by planning obligation secured under section 106 (s.106) of the Town and Country Planning 1990 Act (as amended). However, planning obligations under s.106 are private agreements between the local planning authority (i.e. NCC) and a prospective developer of land. Planning Practice Guidance (PPG) does indicate that local communities should be involved in the setting of planning obligations policies in a local plan or neighbourhood plan¹ but the implementation will be with the local planning authority as part of its development control function. PPG also makes it clear that planning obligations must be fully justified and evidenced². Where affordable housing contributions are being sought, planning obligations should not prevent development from going forward.

I would like to seek the views of NCC and the QB as to whether there is substantive evidence to show justification for a planning obligation to control occupation of affordable housing in Longhorsley?

The second part:

The Policy sets out the preference to be given to those with a local housing need in the Parish or meet local connections criteria set out in Annex B of the Neighbourhood Plan. However, the allocation of social housing is a function of a housing authority under Part 6 of the Housing Act 1996

¹ PPG Reference ID: 23b-003-20150326.

² PPG Reference ID: 23b-004-20150326.

(as amended) ('the 1996 Act') and in framing an allocation scheme to determine priorities the housing authority must ensure that reasonable preference is given to certain categories of people (S166A(3) of the 1996 Act) and have regard to certain considerations. NCC, as housing authority, operates a Common Allocation Policy - CAP³ which makes reference to the legislative framework set out in the 1996 Act, and also refers to the requirement for reasonable preference to be given to groups in need. The Neighbourhood Plan Policy seeks to give preference to local people, or those with local connections but without consideration being given to other categories such as homeless people or those living in insanitary or otherwise unsatisfactory housing conditions contrary to the requirements of the 1996 Act.

The Basic Conditions Report, paragraph 5.3.4, makes no mention of Policy LNP8 being in general conformity with the saved policies of the Castle Morpeth District Local Plan (CMDLP), although the Neighbourhood Plan, paragraph 7.7.1, does refer to it being in line with CMDLP Policy H9. Policy H9, criterion (ii), requires that *"THE HOUSING PROVIDED IS RESERVED FOR LOCAL NEEDS, BOTH INITIALLY AND ON SUBSEQUENT CHANGE OF OCCUPANT"*.

Do NCC have any issues with this aspect of the policy?

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on both the parish council's and the local authority's websites.

Thank you in advance for your assistance.

Your sincerely

Patrick whitehead

Examiner

³ The Common Allocation Policy (CAP) may be confused with the Neighbourhood Plan, Annex C, Community Action Proposal (also CAP).