

Hampstead Neighbourhood Plan 2025-2040 - Submission of Modification Proposal, statement under Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended)

Camden Council has prepared this statement to formally set out its view on whether the modifications made to the plan are so significant or substantial as to change the nature of the adopted Hampstead Neighbourhood Plan. This should be read in conjunction with the Council's submitted representation.

There are limited precedents for this matter and the Council has considered carefully the relevant guidance set out in the NPPG. The Council considers the matter is case specific and depends on the extent of modifications being proposed to an adopted neighbourhood plan. Aside from the facts of how the Plan has changed, we also recognise this is a matter of judgement.

The question raised by Regulation 17 appears to be whether or not the changes proposed to the Plan are (i) significant or substantial; but also (ii) whether they are so significant or substantial to have the effect of changing the nature of the Plan.

The Council has the following observations to make:

We consider that the addition of one or more policy to a planning policy document is a 'significant' change. In this case, whilst the adopted Hampstead Neighbourhood Plan has a suite of policies dealing with the environment, the modification proposal introduces entirely new policy considerations relating to climate change. This is not considered to be a substantial change, but we are in no doubt that it forms a significant change.

The regulation also requires consideration of whether the changes are "so significant or substantial" [our emphasis] to change the nature of the Plan. The emerging policies in the Hampstead Neighbourhood Plan 2025-2040 should not be read in a isolation but within the wider policy context. One of the basic conditions for a neighbourhood plan is whether the policies are in general conformity with the strategic policies in the development plan; so, in this case the adopted Camden Local Plan 2017 and London Plan 2021. Although the policy text relating to climate change is a wholly new element to the Neighbourhood Plan, its rationale and objectives appear to be consistent with the overall vision for the area set out in the made Neighbourhood Plan 2018. Further, we note that the Forum has extensively engaged with the Council on the general conformity of this proposed content, particularly to understand how it relates to, and supports, policies set out in the adopted London Plan and emerging draft new Camden Local Plan.

The Council has raised some detailed matters in our representation about the implementation of aspects of the new policy / policy criteria but we consider these concerns are capable of being overcome with further amendments to the Plan's text: our representation has sought to indicate how such issues might potentially be addressed. Many of our comments refer to matters of clarity and consistency with adopted / emerging development plan policies. Taken as a whole, and subject to further changes, we consider the revised Plan will be effective in making decisions on individual planning applications in the neighbourhood area. Further, we estimate

that more than three-quarters of the revised Plan does not substantially alter the policy position set out in the Hampstead Neighbourhood Plan 2018. In a number of cases, the amendments in the modification proposal are factual updates to reflect changes in national legislation, new iterations of the National Planning Policy Framework, the adoption of a new London Plan and the publication last year of Camden's Draft New Local Plan (Regulation 18).

In general, there is an overlap between the objectives and priorities of the modification proposal, the London Plan and Neighbourhood Plan. We agree with the Forum that it is beneficial to address climate change as part of the review of the adopted Plan and recognise that these issues have become more pressing since Camden declared a [climate and ecological emergency](#) in 2019. The development of policy in the Plan 2018 relating to greening and biodiversity is also welcomed.

Finally, we note that no site allocations have been proposed. If this was the case, we would likely consider this to be "so significant or substantial" that the nature of the Plan had changed.

For the reasons set out above, whilst we consider that the insertion of one (or more) additional policy would form a significant change, having considered the overall impact of the proposed changes to the Plan in the light of the wider policy context formed by adopted and emerging strategic policies, we do not consider the modifications proposed are "so substantial" to change the nature of the Plan.

The proposed changes to the Neighbourhood Plan, will in the Council's view, help to reinforce the overall direction-of-travel of strategic policies in the development plan for the neighbourhood area. More broadly, we welcome the Forum's desire to ensure the Plan remains up-to-date and fully effective in decision making.

In summary, the Council's opinion is that the changes are not so significant or substantial to change the nature of the Plan.