

Neighbourhood Plans

Background

What are Neighbourhood Plans and Neighbourhood Development Orders?

Neighbourhood Plans or Neighbourhood Development Plans range in complexity depending on the wishes of local people – they may be very simple or go into considerable detail as to where people want development. They seek to:

- Identify a shared vision and common goals for a neighbourhood
- Define where new homes, shops, offices and other development should be built
- Identify and protect important local green space
- Influence what new buildings should look like
- Include policies relating to design standards

Neighbourhood Plans can be used to promote more development than is set out in the Local Plan but they cannot promote less development. A Neighbourhood Plan must conform with the overall strategy of a Local Plan, but can take precedence over a Local Plan with respect to the area covered by the Neighbourhood Plan.

As an alternative to Neighbourhood Plans, Business Neighbourhood Plans can be developed in areas which are dominated by business interests.

Parish Councils, Town Councils and approved neighbourhood groups (Neighbourhood Forums see below) can request that the local planning authorities draw up **Neighbourhood Development Orders**, granting automatic permission for specified types of development without the need for any application to the local authority. For more complex cases, forums will be able to grant outline permission so that the right to develop is established, but the details need to be approved. Neighbourhoods can also establish general policies to steer decisions on traditional planning applications. Orders must be confirmed if 50% of those voting in a referendum support them.

Who can prepare a Neighbourhood Plan and how does it apply?

Parish and Town Councils or Neighbourhood Forums (where Parish or Town Councils do not exist) can prepare a Neighbourhood Plan. Neighbourhood Plans are usually based on existing parishes or towns, but where a Neighbourhood Forum has been established the local planning authority can assist in determining the boundaries.

The local planning authority can provide assistance and advice but it is up to the Parish/Town Council or Neighbourhood Forum to prepare a Neighbourhood Plan.

What added value is there in preparing one?

Neighbourhood Plans can:

- Achieve greater community ownership, cohesion and pride
- Achieve control over what happens in your neighbourhood especially in response to major proposals
- Create greater recognition
- Generate greater responsibility for shaping the future of the area within which you live
- Provide a consistent basis for deciding what development would be welcomed and what development would not
- Change community perceptions of what is happening in your area
- Ensure that there is “joined up” thinking and local issues are considered holistically
- Secure funding (through for instance the Community Infrastructure Levy)
- Support local businesses

Is it right for you?

A Neighbourhood Plan is about building neighbourhoods not stopping them.

It can:

- Promote new housing development
- Support the establishment of new businesses or their expansion
- Bring vacant or derelict land back in use
- Develop transport and access proposals
- Propose community centres, places for worship, schools, health, leisure and recreation facilities
- Protect and create open space, reserves, allotments, sports pitches, play areas, parks and gardens
- Protect important buildings and historic assets
- Promote renewable energy projects
- Support local community enterprise

It cannot:

- Prevent development taking place that is included within a Local Plan

But it does:

- Become a statutory plan and is used to make decisions on planning applications

Bear in mind that:

- You may have to tackle some difficult issues
- It can take a lot of time and energy and requires considerable commitment
- It can be frustrating if ambitions are not met
- It can be a long process

Is there an alternative to a Neighbourhood Plan?

Yes through:

- Supplementary Planning Document
- Parish Plans
- Village Design Statements
- Conservation Area Appraisals
- Community Action Plans

Remember you don't have to prepare one if you don't want to; policies through the Local Plan will still apply and many of the proposals outlined above can be adopted in discussions with the local planning authority as supplementary planning documents. You need to consider carefully what your community actually wants and is willing to achieve.

Does the Plan need to comply with other legislative requirements?

The Plans must comply with local plans and national planning policy, a strategic vision set by the local planning authority and other legal requirements. Plans will be allowed to accommodate more housing and infrastructure than proposed in the Local Plan, not less. The community will be able to vote on the Plan in a referendum, and if the plan is approved by a majority, then the local planning authority will be required to adopt it so long as it accords with the Core Strategy. The Plan will be reviewed by a suitably qualified person who will act as an independent examiner for the Neighbourhood Development Order proposal. To summarise the Neighbourhood Plan must:

- conform with European Union requirements including where appropriate a Sustainability Appraisal (SA), Appropriate Assessment (AA) and/or an Environmental Impact Assessment (EIA) through for instance a Neighbourhood Development Order (these may not always be needed)
- adhere to the Human Rights Act 1998
- accord with national planning policy
- reflect the strategic policies in the Local Plan

If in doubt about what a Neighbourhood Plan can or cannot do, or what needs to be done to prepare one, always ask your local planning authority – they are there to help.

Eight Key Steps to prepare a Neighbourhood Development Plan

Below are eight key steps in getting started (drawn and expanded from CPRE's How to shape where you live: a guide to neighbourhood planning, 2012), some of the key messages distilled from other Parish/Town Councils and Neighbourhood Forums, and weblinks to some useful examples.

1: Getting Started

- Set up a Steering Group or Forum to coordinate the development of the Plan, clarify their roles and define Task Groups
- Establish a constitution or terms of reference for the Neighbourhood Forum
- Appoint a Chairperson, Treasurer, Secretary and Community Consultation Coordinator
- Review national and Local Plan policies (outlined in the National Planning Policy Framework and the Local Authority's Local Plan)
- Engage with the wider community (residents, community organisations, businesses and landowners) and obtain their views through website, emails, letters, events, questionnaires and membership
- Define and agree the boundaries of the Neighbourhood Plan area with the local planning authority
- Prepare a programme of work, define a list of tasks, consider resources (both in terms of time and finance), and when and where advice will come from
- Develop a communications strategy
- Establish contacts with the local community, businesses landowners/representatives, the local planning authority and public agencies such as Natural England, Environment Agency, English Heritage
- Consider the need for other work to comply with legislation (for instance Sustainability Appraisals, Appropriate Assessments and EIAs) and how this will tie in with the work programme

Key Messages:

- Try to draw on those in the community who have the skills, knowledge and experience to make it happen
- It could be a long process (up to two years); commitment and momentum needs to be maintained
- The more representative the Steering Group/Forum the greater the success of the Plan
- Maintaining communications with the community is vital; the community should be made aware at an early stage of what is happening and remain informed throughout the Plan process
- Contact the local authority for evidence based material/other contacts for sources of information. This may include:
 - Strategic Housing Land Availability Assessment, Housing Needs Survey and a Strategic Housing Assessment
 - Employment Land Review and Retail Assessments
 - Infrastructure Delivery Plan
 - Local Development Plan documents such as the Core Strategy and Site Allocations DPD

Useful Examples:

- Generic Guidance: Broadland District Council – Neighbourhood Planning Guidance - <http://www.eelga.gov.uk/documents/Policy%20and%20Priorities/Broadland%20DC%20Neighbourhood%20Planning%20Guidance.pdf>
- Launch events guide: Much Wenlock Neighbourhood Plan - <http://www.wenlockplan.org/>
- Engagement Strategy : Allendale Neighbourhood Development Plan Engagement Strategy <http://www.eelga.gov.uk/documents/Policy%20and%20Priorities/Broadland%20DC%20Neighbourhood%20Planning%20Guidance.pdf>
- Neighbourhood Forum website: Bookham Parish Council <http://www.bookhamvanguard.co.uk/>
- Neighbourhood Forum website: Exeter St James - <http://www.exeterstjamesforum.org/home>

- Neighbourhood Forum website: Cerne Valley <http://www.cernevalley.org/>
- Video by a Neighbourhood Forum: Chatsworth Road, London <http://vimeo.com/20374366>

2: Identifying the issues

- Identify the issues which you would like to address considering the strengths, weaknesses, opportunities and threats to your neighbourhood through consultation
- Review issues previously identified through a sustainable community strategy and consultations exercises in the development of the Local Plan, as well as other documents produced for or by the Parish/Town Council
- If you have prepared one of the following consider whether information can be used to inform the Neighbourhood Plan:
 - Parish Plans
 - Village Design Statement/Village Appraisal
 - Community Action Plan/Community Led Planning
 - Conservation area Appraisals
 - Town Action Plans
 - Market Town Healthcheck

Key Messages

- Don't reinvent the wheel unnecessarily
- Gather information on the community profile (population size, household size, incomes, family composition)
- Identify issues which are not really relevant to a Neighbourhood Plan e.g. litter and dog fouling

Useful Examples

- Identification of key issues: Devonshire Park Neighbourhood Plan <http://devonshirepark.wordpress.com/>
- Issues questionnaire survey: Chapel-en-le-frith <http://www.chapelvision.org/questionnaire/wquestionnaire>
- One line residents survey and identification of potential sites for development: Lynton and Lynmouth - <http://www.lynplan.org.uk/>

3. Developing a vision and objectives

- Develop a vision and objectives; this will help focus and guide the preparation of the Neighbourhood Plan
- A vision should be strategic (covering a description of your aspirations), may look forward across a 15-20 year time horizon or the Local Plan period, and consider what land use and development challenges need to be addressed
- Objectives should be focused and aim to set out what the Plan seeks to achieve
- Consultation should take place to ensure that the community agrees with the draft vision and objectives

Key Messages:

- Check that the vision and objectives are in conformity with the Local Plan
- Consult on the vision and objectives

Useful Examples:

- Dawlish Parish Neighbourhood Plan, September 2011, Consultation Draft - <http://www.teignbridge.gov.uk/index.aspx?articleid=13658>
- The Community's Vision for Lockleaze – An integrated approach towards creating a sustainable community, 2010-

<https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnsxb2NrbGVhemV2b2ljZXxneDoyZDZjNjFmMTExZWVhZDAz>

- Identifying values and objectives: Devonshire Park Neighbourhood Plan
<http://devonshirepark.wordpress.com/>

4. Generate options

- Generate a set of options exploring whether they meet the vision and objectives
- Options may be general or specific and will vary depending on what you are seeking to achieve
- In generating options it is useful to consider a “do nothing” option which is essentially what would happen to the area and sites if the Neighbourhood Plan was not implemented
- Test options through consultation to inform your final choice

Key Messages:

- There may be a number of options on different issues or on a single site
- Options must be realistic and achievable, and should be reviewed against the Local Plan

Useful Examples:

- Development options: - Alsager Congleton, Middlewich and Sandbach Town Councils
http://www.cheshireeast.gov.uk/environment_and_planning/planning/spatial_planning/cheshire_east_local_plan/town_strategies.aspx

5. Draft your Neighbourhood Plan

- In developing your Plan present the issues/challenges facing your neighbourhood and your vision and objectives
- Concentrate on describing your proposals/policies for your preferred or most favoured options explaining what you are seeking to achieve for the use and development of land
- These proposals/policies may set out the requirements in relation to a specific site or location which requires protection
- Include a proposals/policy map showing areas where you want development to take place or where protection is needed to protect a site from development (e.g. open space; playing fields; allotments)
- Consider developing an implementation plan which will outline actions, identify who will be responsible for undertaking the action, the level of priority, timetable and source of funding
- Consider setting targets and indicators as to whether a proposal/policy will be achieved once your plan is adopted
- Explain how you have consulted with the wider community, what methods you have used to engage them and their responses

Key Messages:

- Draft the Plan in bite sized chunks taking information from the previous steps
- Delegate tasks to each Task Group
- If you have to undertake a sustainability appraisal (SA) try to make sure that they happen alongside each other
- Ensure that the Plan is written in plain English
- Achieve consensus in drafting the Plan especially the vision, key issues, broad outcomes be these policies or proposals
- Ensure that the Plan is deliverable

Useful Examples:

- Draft Consultation Plan: Dawlish - <http://www.teignbridge.gov.uk/CHttpHandler.ashx?id=30856&p=0>

6. Consultation and submission

- Once the Plan is complete enter into a formal round of public consultation. This will include consultations with statutory consultees (North Somerset Council, Environment Agency, English Heritage and Natural England)
- Include an explanation and the results of your consultations and any changes to your draft Neighbourhood Plan before submitting your final version to your local authority
- You will also need to include a plan/statement showing your area, a written statement about how your Neighbourhood Plan meets relevant legislation and a statement about who was consulted

Key Messages:

- Check with your local planning authority as to who should be consulted
- Check with your local planning authority for advice on what your Plan needs to comply with
- Consult with your community on the draft Plan

7. Independent examination

- An examiner appointed by your local authority will review your Plan to ensure that the Plan meets:
 - European obligations,
 - national planning policies;
 - is in general conformity with strategic policies of the Local Plan;
 - compatibility with adjoining Neighbourhood Plans; and
 - contributes towards sustainable development
- Once the examination is over the examiner will prepare a report. This may recommend one of three options: that the Plan proceeds to a referendum, proceeds to referendum with amendments, or that it should not proceed

Key Messages:

- It may be that local authorities close to each other take the responsibility to review Neighbourhood Plans within their adjacent authorities, rather than appointing an independent examiner

8. Referendum and adoption

- Once your examiner recommends that your draft Neighbourhood Plan can proceed then the local planning authority will organise and pay for a referendum
- A simple majority of over 50% will ensure that your Plan can succeed
- Business Areas will require two referenda (one for residents and another for businesses) and the outcome is considered separately. If there is a conflict then the decision as to whether or not to adopt the Plan will rest with the local planning authority
- Once a majority is achieved, your local planning authority will adopt your Neighbourhood Plan, including policies (if drafted) which will take precedence over policies in the Local Plan
- Planning applications will be determined by the local planning authority but will take into account policies' in your Neighbourhood Plan as well as the Local Plan
- Development granted permission by an adopted Neighbourhood Development Order or Community Right to Build Order may be implemented
- Monitoring the progress of your Neighbourhood Plan is useful to ensure that the momentum is not lost and community aspirations are met

Key Messages:

- The referendum is normally open to any individual registered to vote in the parish, however it may be extended to cover surrounding communities if the Plan has any impact on them
- Once adopted the Plan will be a material consideration in the determination of applications for planning permission
- You can now start implementing your proposals

Where to look for further information?

- CPRE, 2012, How to shape where you live: a guide to neighbourhood planning - <http://www.cpre.org.uk/resources/housing-and-planning/planning/item/2689-how-to-shape-where-you-live-a-guide-to-neighbourhood-planning>
- CLG, 2011, Neighbourhood Planning Regulations Consultation - <http://www.communities.gov.uk/publications/planningandbuilding/planningregulationsconsultation>
- PAS, 2011, Neighbourhood Planning – a guide for ward councillors <http://www.pas.gov.uk/pas/aio/1256514>
- TCPA, 2011, Your Place, Your Plan - http://www.tcpa.org.uk/data/files/your_place_your_plan.pdf
- Levitt Thrivel, URS Scott Wilson, 2011, "DIY SA": Sustainability Appraisal of Neighbourhood Plans <http://www.levett-therivel.co.uk/DIYSA.pdf>

Where to get further advice?

- www.planninghelp.org.uk
- www.pas.gov.uk
- www.planningportal.gov.uk
- www.communities.idea.gov.uk
- www.communitymatters.org.uk/
- <http://locality.org.uk/movement/policy/neighbourhood-planning/>
- <http://www.princes-foundation.org/what-we-do/projects/engage/clg-planning-scheme/supporting-communities-and-neighbourhoods-planning>
- <http://www.rtpi.org.uk/item/4591>