

Neighbourhood Planning Summary.

What is it?

Neighbourhood Planning is the Government's attempt to introduce the principles of the Localism Act into Planning – long seen as a complex, over bureaucratic and 'closed' system that is distant from the communities that are affected by the decisions made. As such it sits alongside Clinical Commissioning in health; Free Schools in Education and Personalisation in Social Care in trying to drill down decision making to the lowest level.

A Neighbourhood Plan enables communities to shape planning policy in their area. It can be used to:

- Develop a shared vision for the neighbourhood;
- Choose where new homes and other development should be built;
- Identify and protect important local green spaces and buildings;
- Determine what new buildings should look like.

This gives local people a powerful new opportunity to plan the future of their communities.

Neighbourhood Plans have to meet a small number of 'basic conditions'. They must:

- Have appropriate regard for National Policy (National Planning Policy Framework);
- Contribute to the achievement of sustainable development;
- Generally conform to the strategic policies of the Local Plan;
- Be compatible with human rights requirements and EU obligations.

Who can prepare a Neighbourhood Plan?

There are two types of qualifying body - Parish and Town Councils and Neighbourhood Forums.

In areas where Parish or Town Councils exist, they are the only bodies that can prepare a Neighbourhood Plan. The proposed Plan can cover part of the Parish or extend over a number of Parishes. Many Parishes choose to follow the Parish boundary for the production of the Plan. Where there is no Parish or Town Council, community members can come together to establish a Neighbourhood Forum which can produce a Neighbourhood Plan.

Process to be followed.

There are few requirements in terms of the process that needs to be followed – the route to producing a Neighbourhood Plan can largely be determined by local circumstances.

It is, however, essential that the process starts by applying to the District Council to become a Neighbourhood Area. The DC then has to publicise the intention for a period of 6 weeks and thereafter formally approve the application.

There is a requirement to consult fully on the Plan as it emerges so that the vision for the future of the area is shaped by as many local people as possible. Stakeholders – people who work in the area and organisations providing services – also have a right to be consulted.

There needs to be a robust evidence base built around the socio-economic data for the area (population profile; housing needs assessment etc.) and if development sites are identified they need to be appraised to determine suitability. All through this process there needs to be evidence of general conformity with the strategic elements of the local development plan.

Consultation needs to run throughout the process. Once the draft plan is prepared, it then needs to be submitted to the District Council who is required to embark on a further 6 week consultation process. Once this stage is complete, and if the District Council considers that the plan meets the relevant legislation and regulations, then it will proceed to an Independent Examination. The Examiner will be appointed by the District Council but needs agreement from the Qualifying Body (the group preparing the Plan).

If passed by the Examiner, the final stage in the process is the referendum in which all those on the electoral role will be entitled to vote. The Neighbourhood Plan will pass the referendum if more than 50% of those who vote, do so in favour of the Plan.

Once 'Made', the Neighbourhood Plan will be the primary reference point for the District Council in determining planning applications.

What can the Plan contain?

As long as it complies with the above principles, the Neighbourhood Plan can be as narrow or broad as wanted – however it must be primarily about the use and development of land and buildings.

It can make policies in relation to the scale, type, mix and location of development to meet local need (for example single storey accommodation for older people or small affordable homes for young families); can determine who has access to any affordable housing through the adoption of a local lettings policy; can specify design and quality criteria; can protect open spaces that are important locally and also protect important buildings and historic assets. It can reference transport issues relating to any new development and determine new facilities relating to the new homes – such as energy efficiency and broadband access.

The role of the Parish Council.

The process will need to be driven by the Parish Council and there will be a need for volunteer time in relation to leaflet drops; questionnaire completion/data inputting and support for the drop-in events. Yourlocale will provide the professional input necessary to complete the technical aspects of the Plan based on the issues raised through community consultation and the vision set by the Parish Council. The funding for this will largely be contained within the funding bids already made and secured.

Consultation.

The Neighbourhood Plan needs to demonstrate that it has been subject to the widest possible consultation. This will involve consulting with all who live or work in the area.

Consultation methods will include leaflet drops; questionnaires; drop-in sessions and media reporting. Specific sessions will be arranged to ensure that the Primary School is fully engaged.

Consultees need to include all those for whom the Neighbourhood Plan could affect their interests, and in addition there are a number of statutory consultees, including the County Council, the Environment Agency, English Heritage and Natural England. Recommended good practice also suggests that neighbouring Parish Councils, landowners and community organisations with involvement in the Parish are also consulted along with those who have an interest in the Parish, such as Developers with an option over land.

Submitting the Neighbourhood Plan.

The Neighbourhood Plan will need to be submitted with a plan showing the area being covered by the Plan; a written statement showing how the Plan meets the basic conditions and a consultation statement that covers the consultation process and how the comments that were made have been taken into account. Once the District Council is satisfied that the plan meets the legal requirements, it will formally publicise the Plan prior to submitting it for Independent Examination.

Independent Examination.

The role of the Independent Examiner is to check that the Plan meets the basic conditions.

The Examiner will undertake a desktop review of the Plan – it is unlikely that a public hearing will be called – test the Plan against the basic conditions and recommend either that it passes to referendum; that it passes to referendum with modifications or is rejected, in which case it would be back to the drawing board!

Referendum

Anyone registered to vote in the Parish will be entitled to vote in the referendum. A simple majority in favour of the Plan (over 50%) will be sufficient for it to proceed.

Summary

Neighbourhood Planning affords a unique opportunity for the Parish to take control of planning policy as it affects the Parish and to ensure that future planning decisions reflect the needs and aspirations of the community.

Gary Kirk

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