

Neighbourhood Planning: Process & Practice

A Training Seminar for
Garforth Neighbourhood Forum



Neighbourhood Plans: The Headlines



Neighbourhood Planning

What The Minister Said.....

“When people know that they will get proper support to cope with the demands of new development; when they have a **proper say over what new homes will look like**; and when they **can influence where those homes go**, they have reasons to say “yes” to growth.”

Greg Clark (November 2010)

Neighbourhood Planning

What The Guidance Said...

*“Neighbourhood planning: We will introduce new rights for communities to shape their local areas through neighbourhood planning. Communities will be able to use neighbourhood **development** plans to set policies for the **development** and use of land in their neighbourhoods.”*

DCLG: A Plain English Guide to the Localism Bill

Neighbourhood Plan

- Large/small scale; single/multi-issue; planning/non-planning in scope; optional not compulsory
- In planning terms - enables communities to:
 - choose where they want new homes, jobs, community facilities etc. to be located
 - decide how new buildings should look
- Must 'fit' with Local Plan strategic policies and other 'basic conditions'
- Prescribed process, including agreement of plan area & plan-making body; statutory consultation period; independent examination; community referendum

Neighbourhood Plan – Pros & Cons

- Some 'Pros'
 - carries real legal weight as part of Local Plan
 - planning applications & appeals determined against it
 - certainty re community-led/supported development – fewer objections; speedier action
- Some 'Cons'
 - technical, formal process
 - time, responsibility, commitment
 - uncertainty re cost
 - uncertainty re available support

Neighbourhood Planning - Options

Mini Local Plan

- Comprehensive coverage of policy issues.
- Allocate development sites for wide range of uses

Policy and Allocation Plans

- Neighbourhood plans covering a narrower range of issues.
 - Often theme specific
- Allocate development sites for narrow range of uses.

Single Policy Document

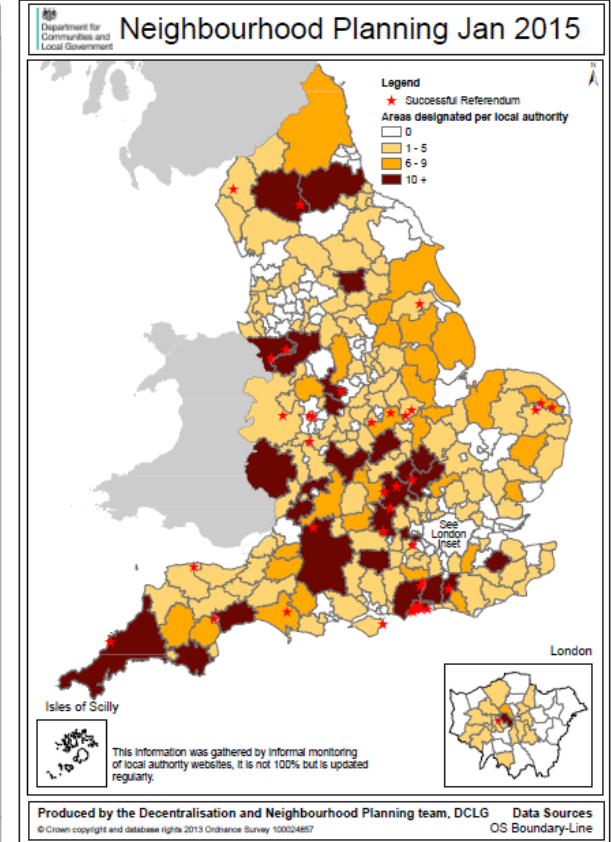
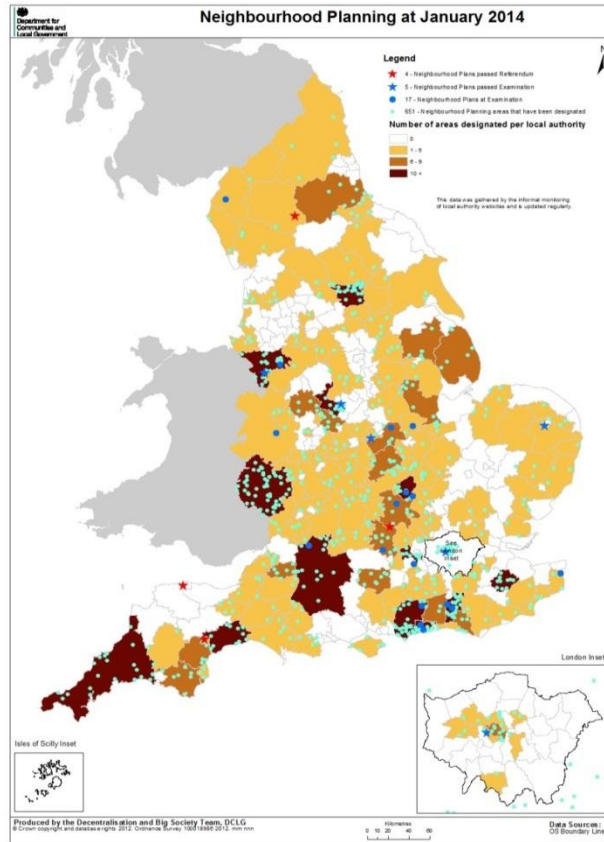
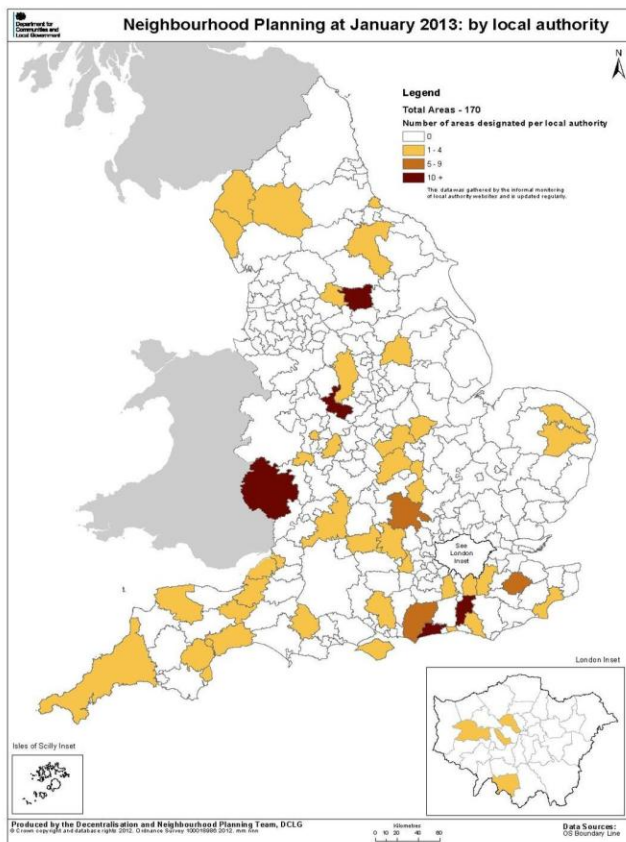
- Neighbourhood Plan covering a single policy issue (e.g. protection of green space)

Policy Plans

- Neighbourhood plans covering a broad range of policy issues.
 - No site allocations.
 - Similar to Parish Plans.
 - Augment Local Plan policy

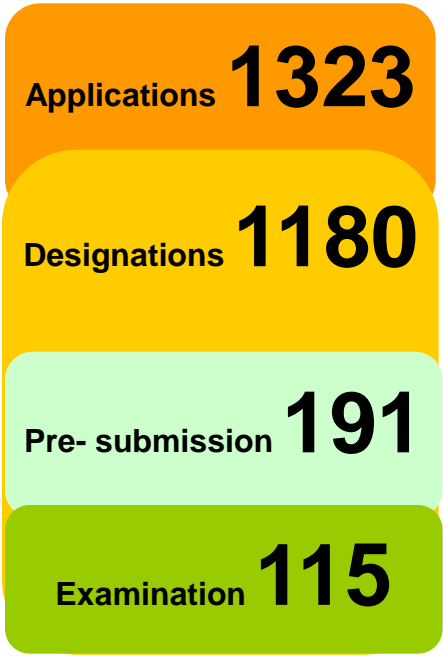


A growing movement



This data was informally gathered from internet monitoring and is being constantly updated

Planning Aid
England
Engaging communities in planning



| Neighbourhood plans | At Examination | Passed Examination | Passed Referendum | MADE |
|---------------------|----------------|--------------------|-------------------|------|
|---------------------|----------------|--------------------|-------------------|------|

42 26 7 33

Total: (108) (66) (40) (33)



Local Authorities

There are 336 local planning authorities (not including county councils)


62%

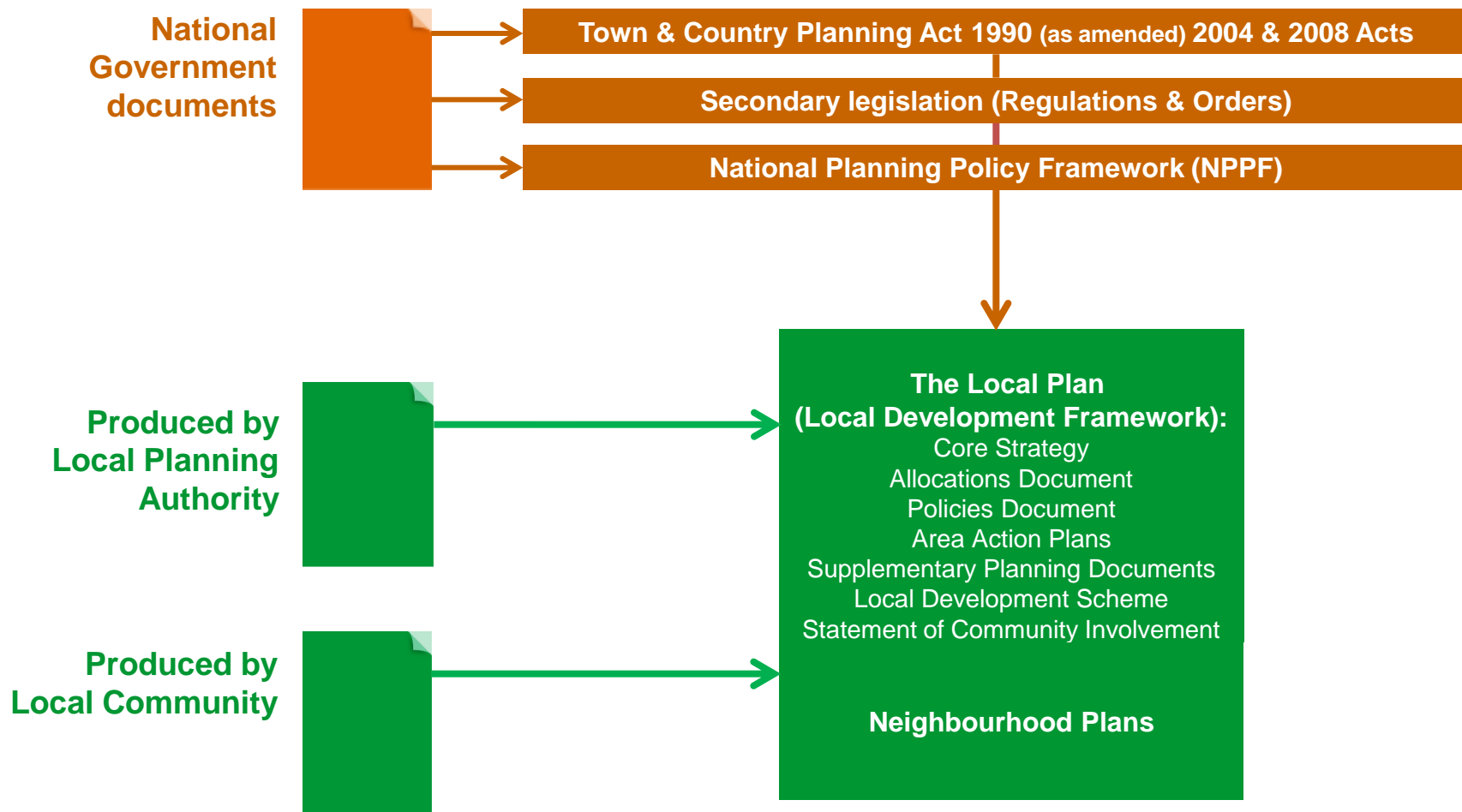
of Local Authorities contain designated neighbourhood planning areas

Neighbourhood Planning

From the Ground Up



The existing plan-making system



The Local Plan (LDF) – why so important?

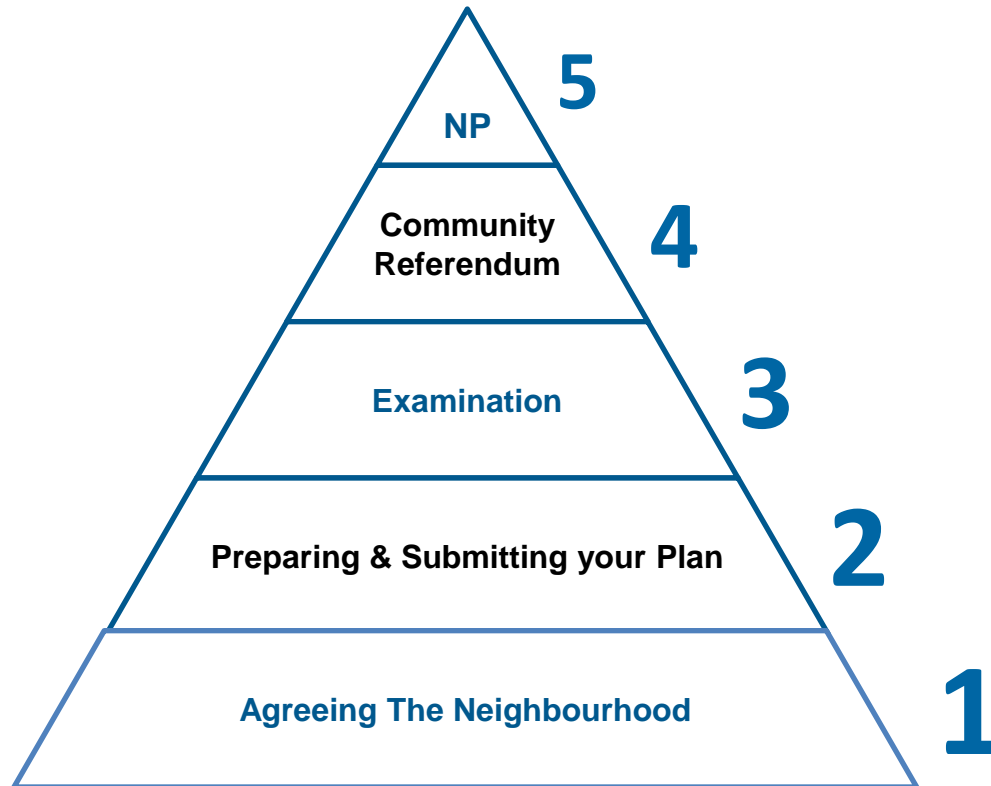
- Neighbourhood Plans have to ‘fit’ with ‘strategic’ elements of Local Plan (LDF) under new system
- Communities need to engage with Local Plans, Core Strategies, Allocations Documents etc. if/when they are being prepared locally – in order to secure best possible context for Neighbourhood Plans

The Nuts & Bolts of Neighbourhood Plans

The Process/
What You Have To Do



How does it work?



Agreeing the Neighbourhood Area

•



Submit to the LPA:

- a plan/statement identifying the land in question
- a statement of why this land should be designated
- a statement of why your group is capable of being a “qualifying body”



The LPA will then:

- publicise the name of the proposed area
- invite comments for 4 to 6 weeks, dependent on nature of application
- make a decision – within prescribed time period



Preparing your Neighbourhood Plan



Plan Making

- it is essential that there is **wide & inclusive community engagement** from day one & throughout the process before you reach the final statutory consultation stage, eg on 'issues', on a '1st draft plan'
- you will need to build an '**evidence base**'
- you will need to write planning '**policies**'
- if you want to **allocate sites** in your plan, you will need to carry out '**site assessments**'
- It is essential to establish a **strong working relationship with LPA** (Local Planning Authority) – eg EU screening opinions
- you will need to have an overall '**project plan**' to guide your neighbourhood plan work

Preparing your Neighbourhood Plan



Statutory 6 week public consultation ('Regulation 14 Consultation')

- Publicise draft plan to people who live, work or carry out business in the area
- Minimum of six weeks to be given for comments
- Consult statutory bodies – ref prescribed list
- Strategic Environmental Assessment in place if required – ref EU obligations
- Amend plan as necessary following the consultation

Submitting your Neighbourhood Plan to your LPA



Information to include to go with your Plan

- Plan/statement showing the area
- Consultation statement detailing:
 - who was consulted;
 - how they were consulted;
 - a summary of the main issues and concerns;
 - how these issues have been addressed
- “Basic conditions” statement
 - an outline of how the proposals meet the “basic conditions”
- **Environmental Report(s)** to satisfy EU obligations OR **Statement of Reasons** why not required.



The Basic Conditions

- Must have appropriate regard to national policy
- Must be in general conformity with strategic elements of the Local Plan
- Contributes toward sustainable development
- Compatible with EU obligations



Examination



An **INDEPENDENT EXAMINER** will check the Plan to see if it meets the “basic conditions”

- Examination paid for by LPA

The examiner must:

- be appointed by LPA with the consent of the Neighbourhood Forum
- be independent from both parties
- have no interest in the land
- have suitable qualifications and experience
- NPIERS

NB appointment may be subject to LPA tendering/procurement requirements



After the Check

The Examiner's Report



Examiner will submit a report to LPA recommending either:

- proposals are submitted for referendum;
- modifications are made prior to referendum; **or**
- the proposals are refused



Modifications can only include:

- those needed to meet the “basic conditions”
- spelling/grammar

Significant Changes Needed?

If the examiner recommends big changes, there may be a need to go back out to the local community and consult again on these changes

- LPA role



Community Referendum



Referendum

- Organised and funded by LPA
- Outlines the importance of securing wider community support



Extending the Referendum

- The independent examiner can extend the scope of the referendum.
- Only if proposal has wider effects beyond neighbourhood area



The 50%+ rule

- Require simple majority (+50%)
- If successful, LPA is compelled to 'make' the plan

