

NEIGHBOURHOOD PLANNING

A brief overview

Guide to Community-led Planning Tools

- Published in July 2016
- **Understand / Be clear about what you want - “pick the right tool for the job”**
- NP may not be the best or most appropriate option
- You may decide that BMSDCs existing and emerging plans and policies provide sufficient guidance for your area



COMMUNITY-LED PLANNING TOOLS

Overview

The Localism Act 2011 introduced new rights for communities, including planning tools that can be used to influence how their local area develops. These tools are neighbourhood development plans, neighbourhood development orders and community right to build orders. They are in addition to existing tools which include town or parish plans and village design statements.

This very brief guide provides an overview of a range of community-led planning tools that are available to help town and parish councils achieve their goals. It has been produced to highlight the possible options available which are explained more fully in the wide range of community-led planning resources freely available online. The use of the tools is not compulsory but if they are used they must be community-led.

Picking the right tool for the job

The range of community-led planning tools available is wide. Picking the right one can seem a little daunting. If you are seeking to resolve a single issue, such as the provision of affordable housing, you may just want to explore the establishment of a community land trust. Alternatively, if you are seeking to tackle a broader range of issues you may want to consider the production of a parish plan or neighbourhood development plan. Or, if you are really adventurous, you may want to use some of the tools in combination.

Community-Led Planning Tools

Neighbourhood Development Plans

What is it?	A plan for the neighbourhood area (town or parish) which includes policies to help inform the determination of planning applications.
Benefits	Gives communities direct power to develop a shared vision for their neighbourhood. Provides an opportunity to shape and influence development in the area when planning applications are submitted. A plan once 'made' becomes part of the formal planning policy framework for Babergh and Mid Suffolk.

“People, Places & Opportunities”

A Neighbourhood Plan is a planning document created by the community, for the community, which sets out a vision and policies that help guide future development, regeneration and conservation of an area”

NP's in a Nutshell ...

- Introduced through Localism Act (2011)
- Regulatory process. No shortcuts. Expect at least 2 years to complete
- **MUST be about the use and development of land**
- **CANNOT** stop or promote less growth than set out in Local Plan
- Simple or complex ... but must be based on **community engagement** and **sound evidence base**
- If 'made' (adopted) becomes part of Development Plan for designated area ... ***“adding real value at the local context”***
- Not a finite process. You will need to keep your NP under review
- Benefit from an uplift in CIL payments (from 15% to 25%)

And remember ... the planning system doesn't stop or wait for you!

The Planning System

NATIONAL	National Planning Policy Framework (NPPF) National Planning Practice Guidance (PPG) Written Ministerial Statements
COUNTY	Minerals and Waste Planning Local Transport Plan Other planning guidance (e.g. Parking Standards)
DISTRICT	Core Strategy / Joint Local Plan 'Adopted' Neighbourhood Plan Area Action Plans / Supplementary Planning Documents

STATUTORY INSTRUMENTS

2012 No. 637

TOWN AND COUNTRY PLANNING, ENGLAND

The Neighbourhood Planning (General) Regulations 2012

Made	- - - -	1st March 2012
Laid before Parliament		6th March 2012
Coming into force	- -	6th April 2012

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 61E, 61F, 61G, 61K, 61L, 61M and 71A of, and paragraphs 1, 4, 7, 8, 10, 11, 12 and 15 of Schedule 4B and paragraphs 3 and 11 of Schedule 4C to, the Town and Country Planning Act 1990(a), and sections 38A, 38B and 122(1) of the Planning and Compulsory Purchase Act 2004(b), and being a designated(c) Minister for the purposes of section 2(2) of the European Communities Act 1972(d) in relation to the environment, makes the following Regulations.

Regulations and Guidance

- N'hood Planning (General) Regulations 2012 (as amended) ... *in 2015, 2016 & 2017*
- N'hood Planning (Referendums) Regulations 2012 (as amended) ... *in 2013, 2014 & 2016*
- N'hood Planning Act 2017
- NPPF & NPPG



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Guidance

Neighbourhood planning

From: Department for Communities and Local Government
Part of: Planning practice guidance and Planning system
Published: 6 March 2014
Last updated: 10 August 2017, see all updates

The guidance explains the neighbourhood planning system introduced by the Localism Act, including key stages and considerations required.

Contents

What is neighbourhood planning?

— [What is neighbourhood planning?](#)

The Main Stages

Identify 'Issues & Opportunities'. If a NP is the most appropriate way of addressing these then ...

- Apply to **Designate NP Area (Reg 5)**
- Set up working group, build your evidence base, etc.
- **Pre-submission Consultation (Reg 14)** ... *min 6 weeks*
- **Submit NP to BMSDC (Reg 15)** ... *we re-consult for 6 weeks*
- **Independent Examination (Reg 17)**
- **Local Referendum (50% + 1 vote)** ... *28 wkg days notice*
- **Formal Adoption (Reg 20)**

Who does what? – ‘MoU’

The Working Groups role ...

- Evidence gathering (T & F Groups)
- Community/Stakeholder engagement
- Apply for Grant Funding
- Prepare NP
- Carry out ‘Pre-sub Consultation’
- Amend NP and submit to LPA, along with:
 - Consultation Statement
 - Basic Conditions Statement
 - Any other supporting documents

The District Councils role ...

- ‘Critical Friend’ (*advice & support*)
- Carry out Statutory Procedures
- Check compliance with Basic Conditions
- Help with SEA / HRA Screening
- Pay for Independent Examination and Local Referendum

But, we won't write the NP, carry out survey work, attend all meetings / events, or provide direct £ support

What can you do in a NP ?

- Plan for / decide where new homes can go (allocate sites)
- Identify the special qualities of each area and explain how this should be reflected in development
- Include policies that protect important local green spaces or valued views
- Prepare a non-designated heritage list
- Consider green energy initiatives
- Have policies that benefit wildlife (e.g. nest boxes etc.)

and more

Signposting to resources

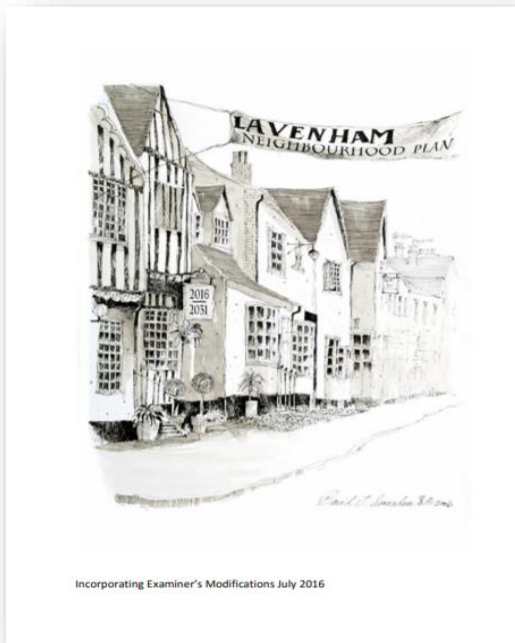
<http://www.midsuffolk.gov.uk/planning/neighbourhood-planning/>

<https://www.neighbourhoodplanning.org>

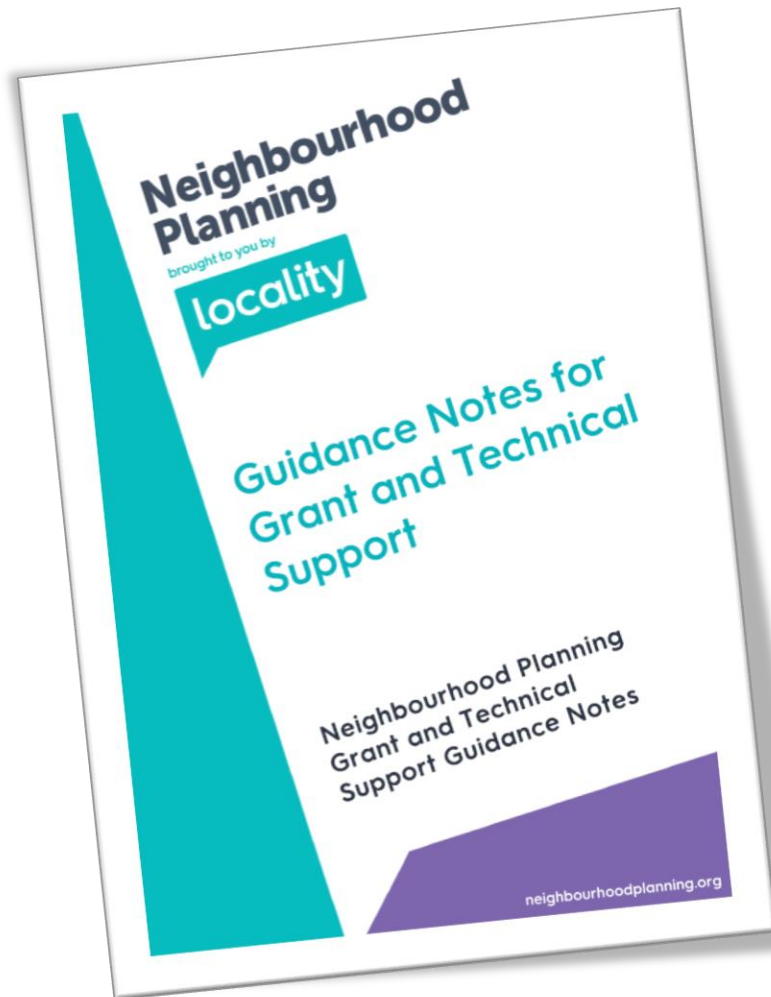
The screenshot shows the Midsuffolk.gov.uk website. At the top left is the 'Working Together' logo. A search bar is present with a magnifying glass icon. Below the search bar are three buttons: 'Apply' (with a pencil icon), 'Report' (with a speech bubble icon), and 'Pay' (with a pound sign icon). The main heading is 'Neighbourhood Planning'. Below this, there is introductory text about community plans and the Localism Act 2011. A list of resources is provided, including a guide to planning tools, village plans guidance, and various online resources like a quick guide, forum, and council guidance. At the bottom, there are four green buttons: 'Neighbourhood Planning in Babergh', 'Neighbourhood Planning in Mid Suffolk', 'Parish Plans and Design Statements', and 'Apply to designate a neighbourhood area'.

The screenshot shows the 'Neighbourhood Planning Support' website. The header includes the 'locality' logo and a navigation menu with 'Home', 'About', 'Apply', 'Resources', 'Network', and 'Advice'. A search bar is on the right. The main heading is 'Neighbourhood Planning Support' with a sub-heading 'Shape the future of your local area by creating a neighbourhood plan or neighbourhood development order.' Below this is a 'locality' logo with the tagline 'the power of community'. The text says 'Welcome to Neighbourhood Planning Support, where you'll find everything you need to know about how to develop a neighbourhood plan or neighbourhood development order and what support is available to you.' A link is provided: 'Find out what a neighbourhood plan and neighbourhood development order is.' At the bottom, there is a section titled 'What support can I apply for?' with text stating: 'The Government has allocated over £23m between 2018 - 2022 to support the development of neighbourhood plans or neighbourhood development orders. You can apply for grant funding and/or technical support if you are eligible.' The background features a photograph of a village and a person looking at a document.

Talk to other NP Groups



Grant Funding



- Accessed via 'Locality'
- Basic grant of up to £9k
- Additional grant (up to £8k) if you meet certain criteria
- Tech' Support Packages (via AECOM) e.g. site alloc'
- Grant Support Programme runs to April 2022

The ‘Basic Conditions’

To be successful a NP must meet the “Basic Conditions”

- Have regard to national policies & advice (NPPF, NPPG)
- Contribute towards achievement of sustainable development
- Be in general conformity with strategic policies in development plan ... *e.g. the Joint Local Plan*
- Does not breach, and is otherwise compatible with EU obligations and human rights requirements

Examination & Referendum

“The examiners remit is quite tight: the test of a NP is whether it meets the basic conditions - very different from the tests for a local plan.

While modifications have the potential to derail community aspirations, most will recognise that examiners can only deal with what is front of them”

(Ann Skippers, Feb 2015)

- Examiner appointed by and paid for by BMSDC
- Usually conducted via written correspondence
- Examiner determines if NP can proceed to referendum
- Simple ‘Yes / No’ vote.
- If successful, we must ‘make’ (adopt) the Plan

Some closing thoughts ...

- ✓ **Think carefully about what you want to achieve and deliver as a community**
- ✓ The decision to prepare a NP is yours to make but remember ... it is a shared journey
- ✓ Link appropriate policies to 'vision & objectives'
- ✓ **ADD REAL VALUE AT LOCAL CONTEXT**



Thank you for listening

Any questions?

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