

Neighbourhood planning

A simple guide for ward councillors

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Foreword

The Localism Act sets out how communities will be able to get more involved in planning for their areas – specifically around creating plans and policies to guide new development and in some cases granting planning permission for certain types of development.

Neighbourhood planning is about letting the people who know about and care for an area plan for it. It is led by the residential and business community, not the council, and is about building neighbourhoods – not stopping growth.

Neighbourhood planning is optional but if adopted by the Council, neighbourhood plans and orders will have weight becoming part of the statutory plan making framework for your area.

Neighbourhood planning is also not entirely new – it can build on existing community planning work.

If you felt a bit removed from planning as a ward councillor then neighbourhood planning is an opportunity for you to get more involved – even if you've previously been put off planning by perceived complexity, controversy or jargon.

This guide is to help you:

- understand the basics of neighbourhood planning
- think about what this means for your community
- think about your role as a ward councillor.



How does neighbourhood planning work?

Prepared by community groups

Neighbourhood planning is not led by the local authority but by the community. These are the 'Qualifying Bodies' who can prepare a plan:

Parish and town councils

The area covered by the plan may be the parish/town boundary, just a part of it, or combined areas. You can help the group to define the right area to deal with the right issues. The local authority will need to agree the boundary of the plan area.

Neighbourhood forums

These can be set up to prepare neighbourhood development plans or orders in areas without parish councils. There can only be one forum per neighbourhood area. The boundaries for the neighbourhood will be proposed by a community group but the council will need to agree this. A forum must have a minimum membership of 21, be open to residents and businesses, and be representative of all members of the local community. The local authority will have to agree to the forum.

Businesses, investors, developers and other commercial organisations will be able to get involved with the forums or parishes. With their agreement, businesses could sponsor the process.

What is it?

Neighbourhood planning is about communities shaping and delivering new development in their areas, using any or all of the neighbourhood planning tools. As they will have a statutory status they must be prepared following a formal process.

Neighbourhood development plans

These will set out a vision for an area or site and planning policies for the use and development of land. It will be about local rather than strategic issues. For example it could cover where new shops, offices or homes should go and what green spaces should be protected. The plan does need to be in broad conformity with national policies and the policies in the authority's local plan. It should focus on guiding development rather than stopping it. If adopted it will become part of the statutory plan for the neighbourhood and be used in making decisions on planning applications.

Neighbourhood development orders

These can grant planning permission for specified developments, for example, certain types of household extensions, shop fronts, or 'green energy' proposals. Where there is a neighbourhood development order in place there would be no need to apply to the council for planning permission for the development it covers. This is a bit like a Local Development Order that a council can do.

Community right to build orders

These are similar to a neighbourhood development order. Appropriately constituted community groups can grant planning permission for new buildings they want to see go ahead, without the need to apply to the council for permission. Housing minister Grant Shapps has announced £17 million of funding to help local groups with the cost of drawing up new orders. Guidance on funding is available here http://www.homeandcommunities.co.uk/sites/default/files/our-work/crtb_prospectus_300512.pdf



Why will communities want to do a plan?

There are many community led plans already in use. But the new neighbourhood plans will become a statutory plan, and one of the documents used to make planning decisions. They will be able to set some ground rules for development in the area. They will be able to provide more detailed policy than the local authority might have in the local plan. They can specify design quality, and places or buildings to be preserved because of environmental quality. And they might bring the community together.

What will a plan cover?

Neighbourhood plans and orders are different from other community plans such as parish and town plans as their policies relate to spatial planning issues and it is these policies that will undergo examination. They will vary in range and complexity from single issue plans eg affordable housing provision through to mini local plans, or might just relate to one development site.

The St James ward in Exeter is close to the city centre, its university and main line railway stations. This long term residential area is changing as more students and businesses move in. With the refurbishment of the adjacent city's football club and the redevelopment of a major department store, the community is working to develop a plan to ensure that future development and social changes benefit the people who live and work there.

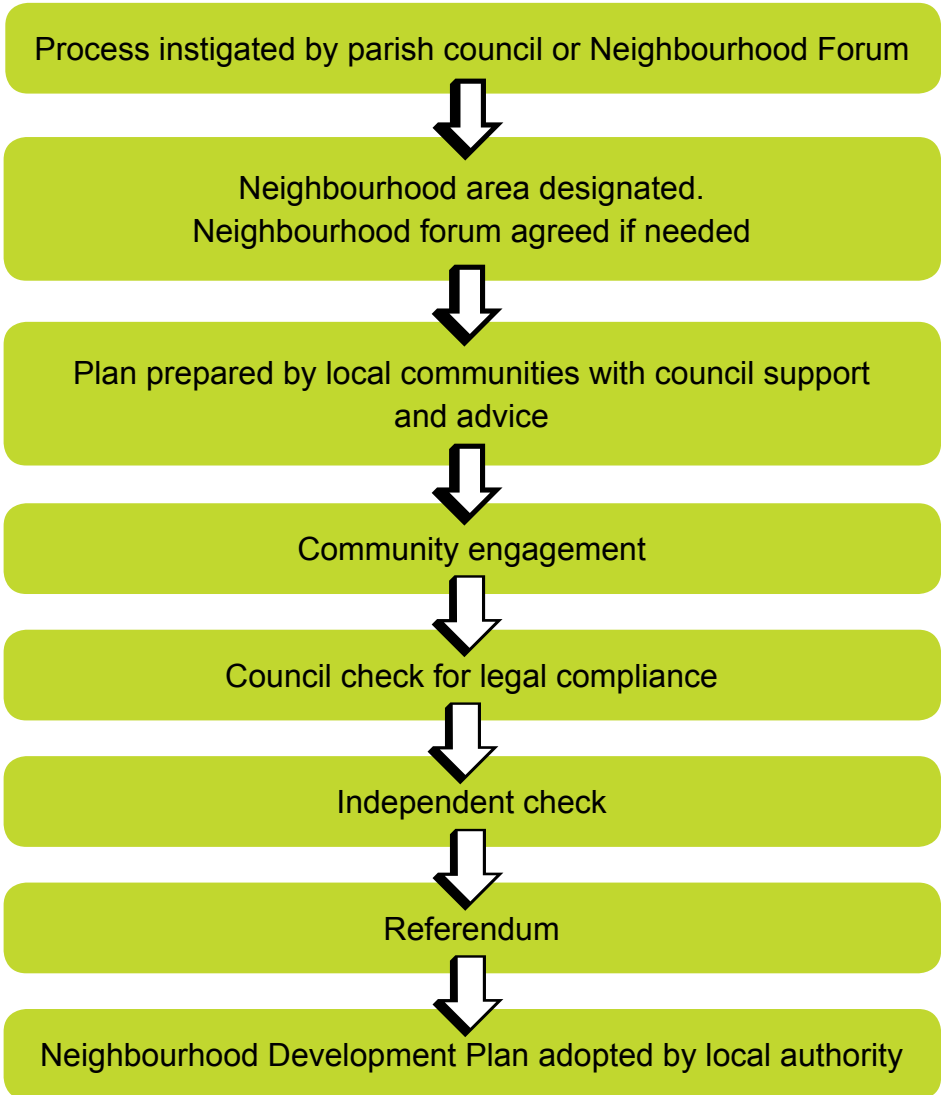
Up to 2026, over 2000 houses are planned to be built in and around the parish of Wootton and East Hunsbury on the southern side of Northampton. With the support of the Borough council the local community, led by the Parish council, is working to prepare a neighbourhood plan for their area to help them in negotiating with developers and service providers to ensure the facilities and services in the area are delivered and where necessary existing ones improved.

In the neighbourhood plan for Tattenhall in Cheshire West and Chester the community are aiming to provide homes and better facilities to meet local needs. They see greater tourism in the area as a way to help regenerate the local economy and to protect and enhance their distinctive local character and built environment .

You and the community – using local knowledge and passion – will know what is important. But as a local councillor you can help make sure the issues raised are compatible with the local plan and avoid wasting time by going up the wrong garden path.

There may be planning issues for which a neighbourhood development plan or order isn't an answer. For example, if whole scale change or regeneration is needed, then an action area plan might be the right route. If it's an issue about local character and design a Village Design Statement might be more appropriate. Talk to the planning officers about this.

Neighbourhood Planning: process map



What role does the planning authority have?

The local planning authority has to provide 'technical advice and support' to communities preparing neighbourhood development plans but it's up to you to decide what this should be. It could include providing evidence, help with facilitation or advice on consultation. It can – but doesn't have to – include financial support. You'll need to think about what support you can offer, how this is resourced and how much you'll be able to do, and this will depend on how much neighbourhood planning activity comes forward.

The council also has to agree and formally designate a neighbourhood area, in both parished and unparished areas. They can cross authority or parish boundaries. If proposals come forward for overlapping areas the council, including ward councillors, will need to arbitrate, and decide which boundary makes most sense in planning terms.

In non-parished areas a neighbourhood forum will need to be formed and designated by the council against a range of criteria, such as the forum having tried to recruit a broad section of the community including residents, businesses and councillors.

Once the plan is written, the council needs to check it against the legislation and regulations. This check isn't about saying whether the content is right or wrong, but about the consultation and procedure followed.

If the plan is alright, the council has to arrange (and pay for) an independent check. The examiner will look at the plan/orders fit against European obligations, the local plan, national policies, and any adjoining neighbourhood plans. If it passes the check, the council needs to arrange (and pay for) a referendum on the plan or order. The referendum can go beyond the plan area if its impacts will be felt more widely. If it is agreed by over 50 per cent of those who vote, the council then adopts the plan or order.

How much will it cost the local authority?

The costs will depend on the nature and scale of help and support provided. It is up to the authority to decide what it wants to do here – how many neighbourhood development plans are anticipated? How important is the neighbourhood plan to deliver wider priorities of the council? How equipped and ready are the parishes/ forums? Do they already have survey data and evidence or can the authority provide this? What technical support, for example around environmental appraisals, can be provided or will the neighbourhood group need to find and fund this themselves? As a minimum you will have to pay for the independent check and referendum. The Government is currently reviewing how neighbourhood planning will be funded in the future but no details are available as yet.

How much will it cost the community?

It will vary depending on the complexity of the plan, the communities own capacity to do the work and how much help and support is available from other sources, including the council. There may be scope for some sponsorship from local businesses or landowners, but think about how this might be perceived.

Questions

From the work of PAS and the Local Government Association these are some of the questions being asked about neighbourhood planning:

What happens if there isn't an adopted local plan?

Around 40 per cent of authorities have an adopted core strategy or local plan. Where there isn't an up to date local plan, there's no strategic context and neighbourhood plans will only need to be compliant with national planning policy – the NPPF.

Our advice: Put the pressure on to make sure your local plan (core strategy) is focused on what is strategically important and progressed as quickly as possible.

Will people try to use neighbourhood planning to stop housing developments?

This isn't the intention. Communities will have influence over what housing will look like and where it will go – but not to stop it altogether when there is an identified local housing need.

Our advice: Explain this again, and again, and again. If the neighbourhood plan isn't in broad conformity with the strategic policies in the local plan or NPPF then it won't be adopted and time and effort will have been wasted.

Will single issues and the usual suspects dominate this?

There are checks and balances to avoid this happening. When a plan is submitted to the council for examination a consultation statement must be provided saying who has been involved in the process. Ultimately, if the plan does not have community-wide support it could fail at referendum.

Our advice: Get out and about to get as many people involved as possible; or at least ensure they are given the opportunity to.

What is the difference between neighbourhood plans and community plans?

Community plans can cover all things important to a community. Neighbourhood plans relates only to the use and development of land in their area.

Our advice: Work with and build on existing community planning activities. A joined up approach to community engagement will help avoid confusion about the work help make best use of the resources available.

What happens if councillors don't want to get involved in shaping development but want to stop it?

Our advice: Think carefully about this. Policies in the local plan will often be trying to balance preserving the special characteristics of places with the need for housing or economic growth. Neighbourhood plans which go against these are unlikely to get through the process. Work with yours or risk having development done to you rather than being done with you.

Your role and getting started

Interest in and the take up of neighbourhood planning across the country to date is patchy. Some authorities report no formally expressed interest in their area in others, over 80 per cent of parishes are actively considering or engaged in neighbourhood planning. Anecdotally many communities have been waiting until all of the legislation is in place to fully understand what was required of them and to see the benefits of preparing a plan.

The Localism Act is now in place and the necessary regulation came into force in April 2012 so neighbourhood development plans and orders can be examined, put to a referendum and adopted. The first examinations are expected to be held in the summer/autumn of 2012. While its still hard to judge what the take up rate will be, as councils have a statutory duty to support and advise on neighbourhood plans, you should be working to decide what this support will be.

Neighbourhood planning puts all councillors centre stage in the planning process. You will be first port of call for communities in your ward wanting to prepare neighbourhood development plans. More than ever your role will be about explaining and managing community expectations, enabling, supporting, mediating, collaborating, explaining options and finding solutions. Although you will obviously want to champion your area, you'll need to do so within the context of the authority's strategic needs and plans. You can help promote the plan with the wider community and local areas, involve businesses to promote and deliver new development to meet community ambitions.

At a recent PAS event on neighbourhood planning, councillors identified that their priority responsibilities are to:

Understand

- Be clear about what neighbourhood planning is, what it can and can't do and what it means in practice. It's not about stopping development but about getting it right for the area.
- Neighbourhood planning has to take place within the context of the authority's strategic planning work – do you know much about this? Find out. There's no point in supporting the neighbourhoods on an issue in conflict with the local plan – the plan won't get passed.

Manage expectations

- Anecdotally, many councillors feel that communities think this will mean they can plan how they like – but it isn't a free for all. There are still parameters set by national and local planning policies. You might have to repeatedly make this clear to communities.
- Work with your communities to ensure that planning proposals are both feasible and viable. Any proposals will need to be, realistic, in line with the strategic plans for the area and deliverable.
- Be clear about what support the local planning authority can offer. This will help communities better scope work they need to do and avoid 'mission creep' impacting on the councils resource.

Communicate

- Articulate, with the community, needs and priorities.
- Bridge the gap between your community and officers, working with both to find the best way forward: neighbourhood development plan or order, community plan or the more strategic local plan or area action plan.
- Recognise that no two communities nor their issues are the same. Some may need additional council support and resources. If this happens be clear to all about why.

Represent

- The local authority will have to agree the neighbourhood areas in your ward or possibly across ward boundaries. Get involved in this process and share your local knowledge.
- Make sure the full spectrum of your neighbourhood is represented in the process and not just the usual suspects.
- Ensure the issues identified in a neighbourhood plan are truly representative of needs on the ground.
- Understand the type of help and support needed by community groups.
- If you're not already involved, join your parish/town councils or neighbourhood forums when they form.
- Work with other ward members to represent the interests of your local areas.

Mediate

- Work with communities, local business, residents, schools, service providers to find new, joined up approaches to delivering on needs and ambitions.
- Manage competing or conflicting proposals in neighbourhood development plans for your ward and those in others.

Understand resource implications

- Think about how much demand there will be for neighbourhood planning in your ward or across the whole authority area. Talk to your community groups, parish/town Councils, residents associations, business forums to get a feel for the level of demand. Who is already doing community planning – are there resources there that can be used?
- Work out how your authority's limited resources can really help support neighbourhood planning eg what type of support can you offer on evidence, the technical aspects etc. But remember, neighbourhood planning is optional – what value will it add to the area?
- Work with colleagues to assess needs and allocate resources between neighbourhoods.
- Understanding how the council will allocate new financial resources eg from New Homes Bonus and CIL.
- Referendums – it's not just in planning that these can happen. Work corporately on a programme to avoid holding them repeatedly.

Recognise the long haul

- The process of adopting a neighbourhood plan is only the beginning. It will require support and continued care to deliver its goals.
- For neighbourhood planning to really take off it must involve people in making things materially improve. This will involve oversight and mediation as priorities and needs change over time.
- Neighbourhood planning requires everyone involved to listen, learn and collaborate. There will be bumps along the way as people find new skills and make new relationships.

Further support

Further support for councillors is available from the Planning Advisory Service website. This includes a number of downloadable briefings to help councillors understand and respond to planning reform.

www.pas.gov.uk

The Planning Advisory Service provides consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform. Sign up for email updates online at www.pas.gov.uk/register PAS is a Local Government Group programme. We are funded directly by the Department of Communities and Local Government.



Local Government Association

Local Government House
Smith Square
London SW1P 3HZ

Telephone 020 7664 3000

Fax 020 7664 3030

Email info@local.gov.uk

www.local.gov.uk

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For a copy in Braille, larger print or audio,
contact us on 020 7664 3000.

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