

Neighbourhood Plans

An Introduction

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What is a Neighbourhood Plan?

- A Neighbourhood Plan is a new way of helping local communities to influence the development of the area in which they live and work.
- Introduced through the Localism Act 2011.
- A new legal power for local people to make a land-use Plan for their neighbourhood, through a local 'qualifying body'.
- In Cornwall the 'Qualifying Body' to do this is the Parish or Town Council.

Types of Neighbourhood Plan

- Neighbourhood (Development) Plans
 - statutory development plan forms part of the Local Development Framework
- Neighbourhood Development Orders
 - grant planning permission for certain kinds of development within specified area
- Community Right to Build Orders
 - grant planning permission for development schemes

Why does Neighbourhood Planning matter?

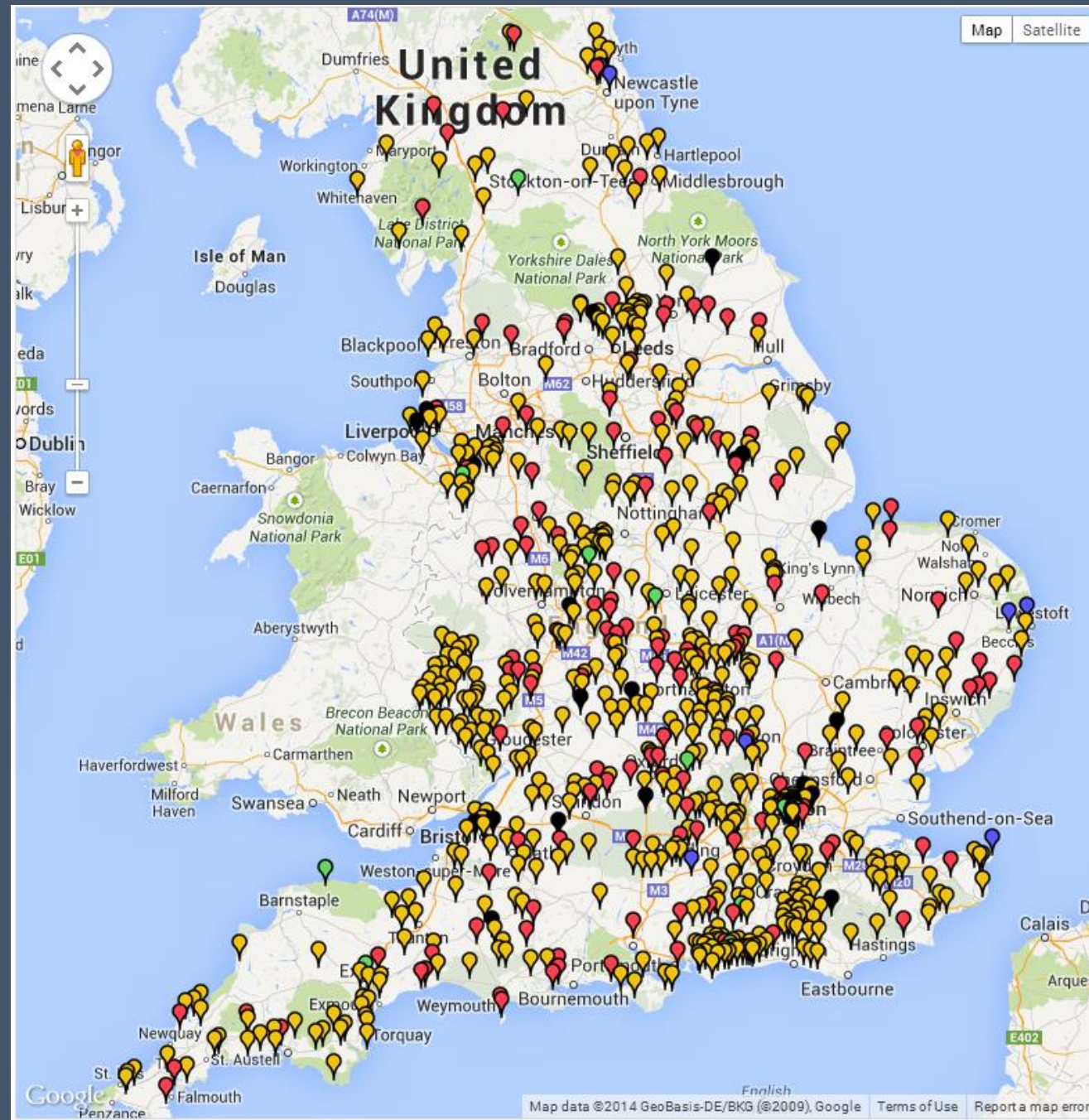
- The planning system is essential for supporting economic growth, improving people's quality of life, and protecting the natural environment.
- When 'Made' a Neighbourhood Plan becomes part of the local statutory development plan and ***must*** be taken into account by the Local Planning Authority when making planning decisions [TCPA 1990 S.70(1) (2), P&CPA 2004 S.38(1)(2c)(3)]
- Therefore, Neighbourhood Planning gives local communities a direct say in decisions that affect them
- If we don't produce a Neighbourhood Plan, the future of where we live will continue to be decided elsewhere.

Why does Neighbourhood Planning matter?

- First time such a local power has been available since pre-1974, and an opportunity to rebuild 'localism'
- Neighbourhood Planning:
 - Stimulates community awareness of local issues
 - Stimulates community involvement in resolving local issues
 - Encourages community cohesion
 - Helps local communities to reach tough decisions
 - Reduces cynicism about politics and local government
 - Releases community energy and initiative
 - Increases amount of Community Infrastructure Levy distributed locally

Distribution of Neighbourhood Plans

- Initial Discussions
- Applied for Designation
- Designated Area
- Referendum
- No information



What can be included?

Environment

- Neighbourhood design guide & place-specific design policies
- Designation of Local Green Space
- Coalescence of settlements
- Protection of gardens
- Small scale renewable energy
- Enhancement of biodiversity
- Control of advertisements & protection of traditional shop fronts

Economy

- Protection & allocation of employment land
- Protection of car parks
- Town/Village centre redevelopment sites
- Development of workshops
- Encouragement of working from home
- New retail in town centres
- Protection of business uses in village centre

What can be included?

Housing

- Residential uses in town centres
- Code for Sustainable Homes
- Car parking standards
- Meeting local housing need
- Occupation of affordable housing
- Housing for local older people
- Conversion of redundant buildings
- Housing on farms
- Limit extensions on small properties

Community Facilities

- Protection & allocation allotments
- Cycle & pedestrian links
- Protection of local shops and pubs
- Developer contributions to improvement of community facilities
- New community facilities
- Development of community hubs
- Protection of community facilities
- Broadband provision

What can be included?

Through an NDO:

- PD for replacement windows that accord with specific design guidance in Cons Areas
- C of U of:
 - ground floors of shops and offices to cafes in a tourism dominated town square
 - designated land in the public highway for seated consumption of food and beverages
 - upper floors above shops and offices to create residential flats
- Replacement of shop fronts following design guide

Through a Community Right to Build Order

- A village community hub and shop
- An affordable housing development
- Village workshops
- Use in conjunction with the Community Right to Bid or the Community Right to Challenge as part of a wider proposal

Important limits

- **Neighbourhood Plans *cannot* be used to stop growth!**
- **The intention is to *enable* growth in sustainable ways.**
- **Must pass the 'Basic Conditions', that is MUST:**
 - Have appropriate regard to (all relevant!) national policy
 - Be in general conformity with strategic elements of the Local Plan
 - Be compatible with EU obligations
 - Contribute toward sustainable development
 - Have special regard to desirability of preserving character and setting of listed buildings (NDO only)
 - Have special regard to desirability of preserving character and appearance of conservation areas (NDO only)

Drafting vision, objectives, policies and proposals

Good NDPs have an explicit and logical 'golden thread'

Community Engagement

Evidence Base

Aims and Objectives

Policies and Proposals

Implementation



Parish/Town Council Role

- Parish/Town Council has formal power and responsibility for preparation, it is the 'qualifying body' and therefore the accountable body
- Leads the Neighbourhood Plan ideally supported by a mixed steering group
- Must involve and engage the community
- Decision making – to approve budget, draft plan etc
- Liaise with other bodies
- Actively deliver (seeking funding, working with partners etc)
- Normally work through a steering group of cllrs, local bodies, volunteers, stakeholders.

The Process

Five main stages:

1. Agreeing the Neighbourhood
2. Preparing the Plan
3. Independent check
4. Community Referendum
5. Making the Plan

Independent Check

- ✓ When LPA is satisfied the submitted plan meets regulatory requirements, it submits the Plan to an independent Inspector who:
 - ✓ Checks that it meets the basic conditions:
 - ✓ Conformity with EU and UK law
 - ✓ Conformity with the NPPF and local policy
 - ✓ Contributes to sustainable development
- Written representations will be the usual approach – but there can be a Public Hearing
- 3 outcomes:
 - ✓ Proceeds to referendum as submitted
 - Modified by LPA to meet basic conditions before referendum
 - ✗ Does not proceed to referendum.

Community Referendum

- LPA considers Examiner's Recommendations and if satisfied basic conditions & EU & human rights requirements met a referendum **must** be held
- Neighbourhood Planning (Referendums) Regulations 2013 cover organising & conducting the poll:
 - One yes/no question "Do you want Cornwall Council to use the neighbourhood plan for Anytown to help it decide planning applications in the neighbourhood area?"
 - Limit on 'referendum campaign' expenditure (determined by population)
 - Publicity material correctly attributed
 - 'Purdah' period on Council
 - No flyposting, defamatory information, or offence to public order

Making the Plan

If Plan earns a majority vote it is formally 'Made' - not 'adopted' – the Local Planning Authority and the Qualifying Body has no choice! (Planning and Compulsory Purchase Act 2004 Sec 38A (4))

Neighbourhood Plans are legally recognized as part of the Development Plan (Sec 38 (3) of the Planning and Compensation Act 2004 as amended)

The Neighbourhood Plan must be taken into account when planning applications are determined with the same weight as the Local Plan. (Sec 70 (1) and (2) of the Town and Country Planning Act)

Falmouth Neighbourhood Plan

- Originated out of desire for Article 4 Direction to control HMOs
- NP to include planning policy used in deciding planning applications for HMOs
- Stakeholder Group established Sept 2014
- DCLG funding (£7,000) for community engagement
- Launch today, 23rd March, for 6 weeks
- Fathom leaflet, questionnaire, website, Twitter, drop-in exhibitions on 9th and 29th April, letters to businesses, groups, surgeries, etc
- www.planforfalmouth.info
- <http://Twitter.com/planforfalmouth>
- Further £8,000 available for 2015/16, from DCLG for developing the Plan.



Making Plans



Department for
Communities and
Local Government

Communities want a say on local issues ...



of citizens think it is **important** for them personally to **feel they can influence decisions** in their local area

Community Life Survey 2013/14



of citizens say they would be **more supportive** of house building if local **people were given greater control and say** over what gets built

British Social Attitudes Survey 2013

... they're seizing the chance to create neighbourhood plans ...

over
1000
neighbourhood plans
underway

over
100
draft neighbourhood plans
prepared by communities

28
successful referendums

Over 100 neighbourhood planning proposals



Cockermouth's neighbourhood development order seeks to **reinvigorate the town** by granting planning permission for cafes, shop front redesign and outdoor seating.



Residents in **Heathfield Park** propose to **design out crime** by encouraging developments that ensure people feel safe in public areas after dark.



The **Old Market Quarter** community are using their plan to protect and enhance **open spaces** that contribute to the character of the area.



In **Cringleford**, residents voted in favour of a neighbourhood plan allocating land for approximately **1200 new homes**.



In **Fortune Green and West Hampstead**, residents are seeking to **support micro-businesses** by encouraging different sized commercial units.



In **Arundel**, the neighbourhood plan **supports the development of community assets** (including the Eagle Inn) as long as their continued viable use by local people is ensured.

Find out about over 50 neighbourhood plans that have been submitted for examination: <http://ow.ly/y8Ilo>

... and it's making a real difference across the country.