

Neighbourhood Planning



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Agenda for the Day

- Context to the Government's planning reforms
- The Local policy framework in South Glos
-
- Neighbourhood plans – process and content
- What the communities and the Council will have to deal with
-
- Sources of information and inspiration
- Summing up – final thoughts

Government's Planning Reforms –

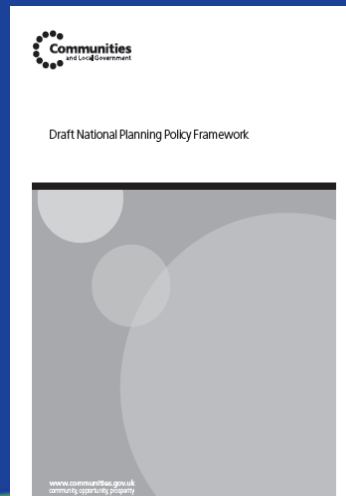
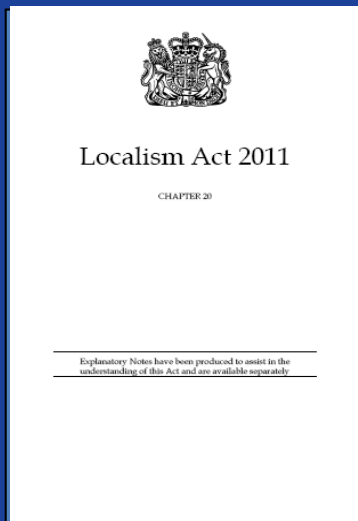
- 1 • Put power back into the hands of local people: moving away from top down targets and prescription in regs
- 2 • Protect & enhance the natural & historic environment
- 2 • Absolute commitment to housing and economic growth
- 2 • Delivering a simpler and more effective system
- 3 • Introduce powerful incentives so communities gain the benefits of growth
- 3 • Restore the idea that development can be a force for good, rather than something to be resisted at all costs

Minister for Decentralisation and Planning, Greg Clark summed up the approach;

“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 MP, 18/11/10

We See This Expressed In:

- The Localism Act and Neighbourhood Planning Regs
- The Growth Review and subsequent changes to the system
- The National Planning Policy Framework



Changes to the plan led system:

Old		New	
National	Planning Policy Statements etc	National	National Planning Policy Framework
Regional	South West Regional Spatial Strategy	Local	Core Strategy South Glos Local Plan etc
Local	Core Strategy South Glos Local Plan etc	Neighbourhood	Neighbourhood Planning

Local Planning Policy Framework

- SG Local Plan remains current adopted development plan
- Core Strategy – Will replace substantial (strategic) parts of SG Local Plan
- Policies, Sites and Places plan – will follow and replace remaining DC policies in SGLP and local spatial policies
- Ongoing programme of SPD including CIL
- Full details set out in [LDS Programme](#) on our website

Coffee Break

www.southglos.gov.uk



Neighbourhood Planning

- Statutory process
- Content
- Challenges

Neighbourhood Planning

The Localism Act gives communities new rights to produce:

- Neighbourhood Development Plans
- Neighbourhood Development Orders
- Community Right to Build Orders

Neighbourhood Development Plans

A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.

Neighbourhood Development Orders

A “neighbourhood development order” is an order which **grants planning permission** in relation to a particular neighbourhood area specified in the order—

- (a) **for development** specified in the order, or
- (b) **for development of any class** specified in the order.

Community Right to Build Orders

A neighbourhood development order is a community right to build order if

- (a) the order is made pursuant to a **proposal made by a community organisation,**
- (b) the order grants planning permission for specified development in relation to a specified site in the specified neighbourhood area, and
- c) the specified development does not exceed prescribed limits.

Tests for Neighbourhood Planning

- They must be appropriate **having regard to national policy**
- They must be in **general conformity** with the strategic policies in the development plan for the local area
- They must be **compatible with EU and Human Rights obligations.**

A community applies for a neighbourhood area to be designated

Work up details of plan with the community

Consult statutory consultees as appropriate

Submit plan to the local authority

Independent Examination

Local authority checks proposals

Community referendum

Make a plan or order

If there is a parish or town council, they take the lead

If no parish or town council, a neighbourhood forum is designated

The local authority can advise

LPA to advise on conformity with Local Plan

LA to arrange

LPA to adopt plan as statutory planning document

LA to arrange. A simple majority is required

Making a neighbourhood area application

- The group sets out:
 - that they are a qualifying body
 - why the area is appropriate
 - the proposed area;
- LPA publish the application for 6 weeks
- LPA may decline applications where more than **one** application has been made

Neighbourhood Forum qualifying body:

- Promoting or improving the social, economic and environmental well-being of an area
- Open to those who live or work in the area, and councillors.
- At least 21 people
- Has a written constitution

Making a neighbourhood area application (forums)

- Forum applies to the LPA
- LPA publishes notice of application for 28 days and allows for further applications
- LPA publishes decision on designation of a forum

The Plan

- The Forum/Parish Council has to
 - **publicise** the proposals in the plan
 - Tell people how and when to make comments
 - consult any **statutory consultees** whose interests are affected
- Minimum **6 week** consultation period

Once there is a draft plan

- Forum/Parish submits the plan/order to Authority with:
 - A **plan** of the area covered
 - A **consultation statement**
 - the **title** of the plan or order
 - how the proposal meets the **basic conditions**
- LPA to publish proposals for 6 weeks and make draft orders available for inspection

The independent check - examination

- Independent examiner
- Appointed by LA but agreed with parish council/forum
- Written representations and only if necessary will hold a public hearing
- Checks plan meets basic tests
- Report which summarises their findings.

And finally the LPA has to ...

- Publish examiner's **report** and the notice of referendum on their website;

After the referendum takes place.....

- Publish **decision to make plan/order and reasons**
- Send a copy of their decision and reasons to consultees
- Publish the plan/order on their website

What Might Go Into a Neighbourhood Plan?

It's a Land Use Plan

- housing & economic development
- Renewable energy etc
- town centres and regeneration
- Settlement boundary
- building design
- layout of new developments

Other spatial matters

Might not be followed but public bodies will have to have regard to them

- public realm
- highways, foot and cycleways
- parking
- parks and other green spaces

Issues not for an NDP - but could be in a Parish Plan. E.g service levels (e.g. street cleaning), relations with public bodies, community facilities and organisation, health, training & skills, policing etc

Evidence/Justification for Policies

Council help could include

- Technical specialist advice
- Statistics/information

Other sources of help

- Developers?
- Charities?
- Consultants?

What Potential NP makers will have to deal with

- Work within planning policy framework
- Accept the plan must deal with more not less growth
- Learn a lot about planning
- Project manage and resource process
- Consultation
- Negotiate with developers and others
- People and politics

What the Council will have to deal with

- Making decisions on areas and forums
- Technical support
- Ensure support is helpful, efficient and fair
- Organise examination and referendum
- Using adopted plans in DC process

Panel Discussion

Sources of Information and Help

- Essential Reading
- Helpful Websites
- Launch of South Gloucestershire Council's NP Web Page
- Government Funded Community Support Organisations

How might NDPs work in South Glos?

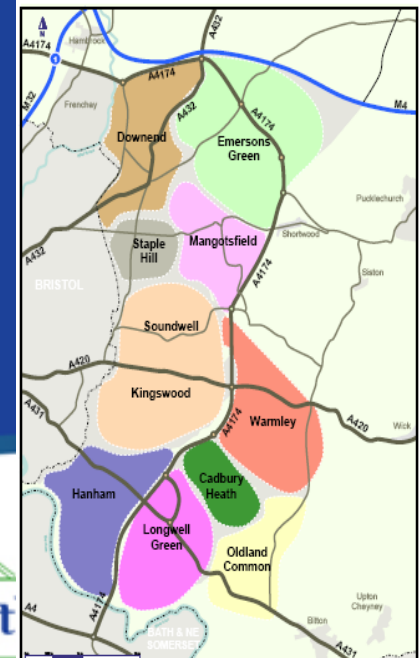
- Core Strategy provides hooks for NDP
 - Village settlement boundary review to support local housing and employment
 - Undertake minor changes to GB
 - Promote renewables/ de-centralised energy
 - Green infrastructure
- Stand alone NDPs, oras part of Policies, Sites and Places DPD or DC process

South Gloucestershire Core Strategy



December 2011

Core Strategy incorporating
Post-Submission Changes



Initial thoughts on Neighbourhood Planning

- Big initiative of Government – will want to make it work
- There is a clear role & purpose for community led planning in South Glos – P&TCs know their areas!
- A catalyst to move beyond simple consultation to genuine dialogue – but the devil is in the detail
- Parish Review process may have an impact on NDPs
- They are expensive and will take time to produce
- NP process may not be really right for every community – remember – it's a land use plan
- NP is only one entry point for communities to influence local developments

Summing up – final thoughts

- An NDP is not about ‘stopping and blocking’
- It’s a statutory plan – so due process and compliance with plan making procedures are significant
- The community and council will need to find new resources to achieve NDPs
- Don’t believe all the hype – read the Regs and Localism Act.
- Consider the potential impact of the Parish Review on your NDP before you start
- Are 47+ NDPs in South Glos really the best solution?

Next Steps

- PCs to consider this information and potential issues for their communities
- Neighbourhood forums in un-parished areas to be explored at future event
- Further event to in the autumn after Core Strategy adopted

Panel Discussion

End