

What can a Neighbourhood Plan do?

In very simple terms, a neighbourhood plan is:

- A document that sets out planning policies for the neighbourhood area . planning policies are used to decide whether to approve planning applications
- Written by the local community, the people who know the area, rather than the Local Planning Authority
- A powerful tool to ensure the community gets the right types of development, in the right place.

Local people can create a plan that allows them to develop planning policies that reflect the priorities of their area and have real legal weight. The whole community then decides at a referendum vote whether the local authority should bring the plan into force.

A neighbourhood plan is an important document with real legal force, therefore there are certain formal procedures that it must go through.

What can't a Neighbourhood Plan do?

- Neighbourhood planning is about shaping the development of a local area in a positive manner. It is not a tool to stop new development proposals from happening and should reflect local and national policies. Neighbourhood plans and orders should not promote less development than set out in the local plan or undermine its strategic policies.
- A Neighbourhood Plan cannot rewrite permitted development rights

Neighbourhood Plan must comply with the following basic conditions:

- Have regard to national policy and guidance
- Be in general conformity with strategic local policies
- Achieve sustainable development
- Be compatible with EU Obligations (environment, habitats) and human rights

Unless a neighbourhood plan meets the basic conditions, it will not be able to progress to the referendum stage.

The stages

1. Designation of the Neighbourhood Area

The first formal stage in preparing a neighbourhood plan is to submit the proposed neighbourhood area to the local planning authority for designation.

2. Prepare a 'draft' plan – community engagement and preparing an evidence base

This will include publicising the proposal to prepare a neighbourhood plan so that as many people as possible are aware of what it is and why one is being prepared. Local key stakeholders will need to be identified and invited to participate. Community engagement activities should commence at the earliest stage. This is especially important where a plan is being led by a prospective neighbourhood forum, where there will need to be an inclusive process for putting together the forum and identifying the neighbourhood area.

It will be necessary to sift out non-planning matters. The neighbourhood plan should focus on planning only. Other matters will have to be dealt with by other means, such as negotiations with public bodies or through the development and delivery of community projects.

3. Writing the Draft Plan

The policies of the neighbourhood plan and site allocations, where undertaken, are the working part of the document. These will form the basis of decision making on future planning applications (together with the local plan and national policy).

Policies should be clear and unambiguous in their requirements.

Once a draft plan has been prepared, it has to be subjected to a 6-week statutory consultation. This includes consulting national bodies, such as the Environment Agency and English Heritage.

At the end of the 6-week consultation, all responses must be considered and, where considered necessary, the draft plan should be modified.

It is also important that a Strategic Environment Assessment is prepared before the draft plan is consulted on.

4. Submitting the Neighbourhood Plan

The plan is then ready for formal submission to the local planning authority. The plan and a map of the neighbourhood area must be submitted, together with supporting statements including a consultation statement and a statement explaining how the basic conditions have been met.

The local planning authority will publicise the plan for a 6-week period and provide the examiner with any comments received.

5. The Independent Examination

The independent examination will consider whether the neighbourhood plan proposal meets the basic conditions. Usually, the independent examination will be conducted through written representations. However, there could also be a hearing, if the independent examiner considers it necessary.

The independent examiner may recommend that the plan proceed to referendum, that it be modified and then proceed to referendum or that it does not proceed to referendum. The independent examiner's report is not binding. It is for the local planning authority to decide whether or not to proceed to referendum, with or without modifications. This decision is based on whether the plan meets the basic conditions . not consideration of the planning merits of the draft plan.

6. The Referendum

If the plan is found to meet the basic conditions, with or without modifications, then it will be the subject of a public referendum. If the neighbourhood plan proposal gains a majority ~~yes~~ vote, then the local planning authority has to ~~make~~ the plan. Once the plan is made, it forms part of the statutory development plan for the area.

7. Implementing the Plan

Once made, a neighbourhood plan, together with the local plan, provides a framework against which development proposals are considered. A good neighbourhood plan will provide a positive vision for the development of the area, making sure that the needs of all sections of the community are met as far as possible.

Grants available

You can receive support to help you complete your neighbourhood plan.

There are two types of support available in the 2015-2018 programme from central government. However, the 2015-2018 support programme for Neighbourhood Planning is due to close shortly.

- **Grants of up to £9,000:** 2015-2018 programme grant applications are **now closed**. 2018-2022 programme grant support will open no later than 1 April 2018.
- **Technical Support for complex plans delivered by AECOM:** 2015-2018 programme applications must be received by **5 March 2018**. 2018-2022 programme support will open no later than 1 April 2018. These groups can also request an additional grant package of £6,000 (bringing the grant ceiling amount available to £15,000).

From March 2018 onwards (until 2022)

The Ministry of Housing, Communities and Local Government (MHCLG) shall be continuing the Neighbourhood Planning programme beyond March 2018. A formal update on the new Neighbourhood Planning programme is expected shortly.

Consultants who have been involved with ESBC Neighbourhood Plans

<http://urbanimprint.co.uk/>

<http://www.ckebleconsult.co.uk/>

<http://uvns.org/neighbourhood-planning>

<http://kirkwells.co.uk/>

How other consultants have commissioned consultants

- Not all groups have appointed consultants, some are carrying out a plan in house.
- Each Parish has approached this differently, some have invited consultants to a meeting and asked them to present, others have just appointed.
- ESBC have not seen any briefs or contracts between parish councils and the consultant.

Other Neighbourhood Plans in East Staffordshire can be viewed online at:

<http://www.eaststaffsbc.gov.uk/planning/planning-policy/neighbourhood-plans>