

NEIGHBOURHOOD PLANNING 'an overview'

Last update: January 2023

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”

So ... what sort of journey do you want to go on?

Guide to Community-led Planning Tools

- Published 2016 (updated 2022)
- Understand / Be clear about what you want - ***Pick the right tool for the job***
- NP may not be the right option
- You may conclude that existing and emerging Plans & 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.

NP's in a Nutshell ...

- Introduced through Localism Act (2011)
- Regulated process. No shortcuts. Expect 2 to 3 years to complete
- Must be about the use and development of land
- Cannot promote less growth than is set out in a Local Plan, or undermine its strategic policies
- 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 need to keep your NP under review!
- Benefit from uplift in CIL payments (from 15% to 25%)

And remember - the planning system won't stop & wait for you!

The Planning System ... for now

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 / the emerging Joint Local Plan Adopted Neighbourhood Plans Area Action Plans / Supplementary Planning Doc's

STATUTORY INSTRUMENTS

2012 No. 637

TOWN AND COUNTRY PLANNING, ENGLAND

The Neighbourhood Planning (General) Regulations 2012

<i>Made</i> - - - -	<i>1st March 2012</i>
<i>Laid before Parliament</i>	<i>6th March 2012</i>
<i>Coming into force</i> - -	<i>6th April 2012</i>

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 & Guidance

- NP (General) Regulations 2012 (as amended) ... *in 2015, 2016 & 2017*
- NP (Referendum) Regs 2012 (as amended) ... *in 2013, 2014 & 2016*
- N'hood Planning Act 2017
- NPPF (July 2021) ... *more changes being consulted on*
- National Planning Practice Guidance ... *on NP and more*

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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 ...

- ❖ Consult your local community, identify what is important to them and look at the options available to deliver this

If a NP is the most appropriate way of addressing these ...

- Set up Working Group / create a Project Plan
- Apply to **Designate NP Area (Reg 5)**
- Build your evidence base / prepare your draft plan
- **Pre-submission Consultation (Reg 14) ... min 6 weeks**
- **Submit NP to BMSDC (Reg 15) ... we re-consult (min 6 weeks)**
- **Independent Examination (Reg 17)**
- **Local Referendum ... 28 wkg days notice, and a 50%+1 vote**
- **Formal Adoption (Reg 20)**

Who does what?

Working Groups role ...

- Evidence gathering (Task / Finish Grps)
- Community and Stakeholder engagement
- Grant Funding applications
- Drafting NP & Supporting Evidence
- Carrying out 'Pre-sub Consultation'
- Amend NP before submitting to LPA, along with:
 - a Consultation Statement
 - a Basic Conditions Statement
 - Supporting Evidence

District Councils role ...

- 'Critical Friend' - offer advice and support
- Check for / carry out statutory procedures
- Help with SEA / HRA Screening
- Pay for the Examination and the Referendum

But we won't

- write your NP,
- carry out survey work,
- attend all meetings / events, or
- provide direct £ support

Adding value ...

NPPF Para 16

Requires plans to:

- contribute to the achievement of **sustainable development**;
- be **prepared positively**, in a way that is **aspirational / deliverable**;
- be shaped by early engagement
- be **clearly written**
- be accessible (the digital agenda)
- **serve a clear purpose**, avoiding unnecessary duplication of policies that apply to a particular area.

Planning Practice Guidance

“A policy in a NP should be **clear and unambiguous**. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.

It should be **concise, precise** and **supported by appropriate evidence**. It should be distinct to reflect and respond to the **unique characteristics** and planning context of the specific area for which it has been prepared. “

What can you do in your NP ?

- Decide where new homes will go - allocate site(s)
- Establish principles for new housing ... type, design etc.
- Set out policies on conserving and enhancing the natural and built environment (Important Views, Local Green Spaces, Non-designated Heritage Assets)
- Consider other design & sustainability criteria, but not impose additional local technical standards
- Include policies that encourage biodiversity net gain (from Swift boxes to looking at linking habitats)
- ... *and so much more.*

Appropriate evidence ...

Planning Practice Guidance states that:

“While there are prescribed documents that must be submitted with a NP there is no ‘tick-box’ list of evidence required.

Proportionate, robust evidence should support the choices made and the approach taken.

The evidence should be drawn up to explain succinctly the intention and rationale of the policies in the draft NP “

(Extract from Paragraph: 040 Reference ID: 41-040-20160211)

Signposting to resources

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

<https://www.neighbourhoodplanning.org>



Home > Planning > Neighbourhood Planning

Neighbourhood Planning

The Localism Act 2011 introduced a range of new rights and powers. One of those rights was Neighbourhood Planning.

Neighbourhood Plans (NP) gives local communities the opportunity to develop a shared vision for their area. Each Plan should be 'positively prepared' and 'add real value' at the local level. Unlike Parish Plans or Village Design Statements, a successful NP has statutory weight and status. Once 'made' (adopted), it becomes part of the development plan for that area and will be used in the determination of planning applications where relevant.

Across our two districts around fifty parishes have embarked on the NP process. Of those, thirteen have been successfully 'made'. Others are at an advanced stage while some are just getting going. You can find out more about the progress of each of these plans by exploring the Babergh and Mid Suffolk green tiles at the bottom of this page.

Neighbourhood Planning and the Coronavirus (Covid-19) Emergency

As we adjust to the 'new normal' many of our NP Groups are embracing technology and have been using virtual meetings etc. so they can continue to progress their Plans. We also know that many have engaged a professional consultants and, through them, should have received the latest Covid-19 advice in so far as it relates to their Plan. While we are in regular contact with those consultants we are also here to help and support you directly.

In response to the Covid-19 emergency, Government published an important update to Planning Practice Guidance in May 2020 (see Paragraph 107). These updates cover:

- **Referendums** (now delayed until May 2021 at the earliest)
- **Decision Making** (in reference to Post Examination Plans and the weight that can be attached to them)
- **Examinations** (the guidance around conducting these via written reps where possible remains)
- **Public Consultation** (general advice on effective community engagement, and document availability)

To read the Guidance in full please see: [Planning Practice Guidance on Neighbourhood Planning](#)

Other sources of information on Neighbourhood Planning

To help decide if a Neighbourhood Plan is right for your community see our [Guide to Community-led Planning Tools \(July 2016\)](#) which sets out some simple pros & cons of the options available.

There is also a wealth of information online. We recommend you bookmark the [Neighbourhood Planning](#) website. Launched in March 2018, this is Locality's new home for advice, including:

- [Grant & Technical Support Guidance Note](#) and the [Neighbourhood Plans Roadmap Guide](#)

See also

- [The Forum for Neighbourhood Planning](#) - a site for people to ask questions and share experiences.
- [Guidance on Neighbourhood Planning in Suffolk](#) - published by Suffolk County Council in Sept 2017.
- Our [Community Rights](#) web-page for information on, for example, Assets of Community Value.



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.

[Find out what a neighbourhood plan and neighbourhood development order is.](#)

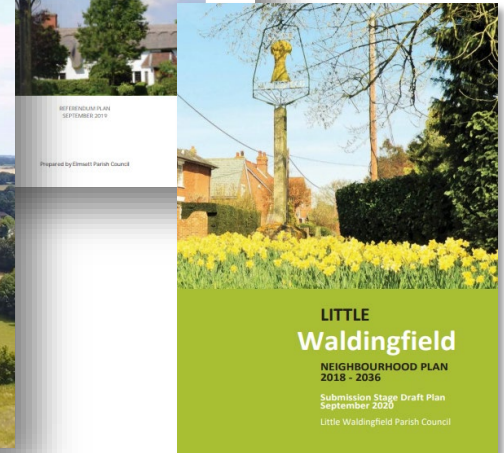
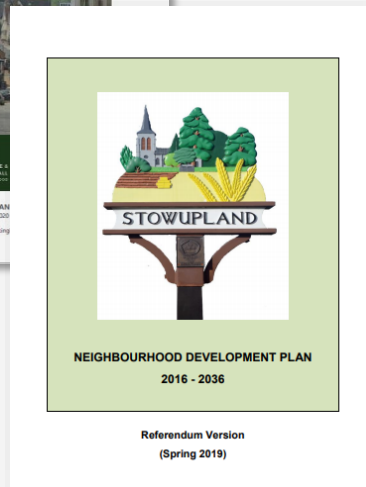
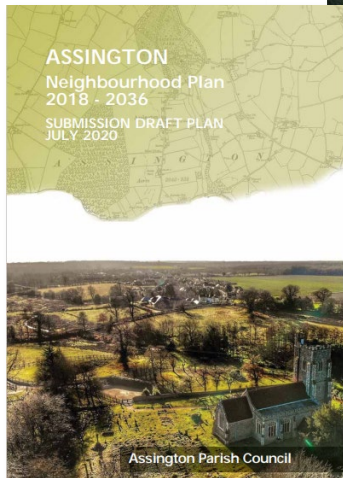
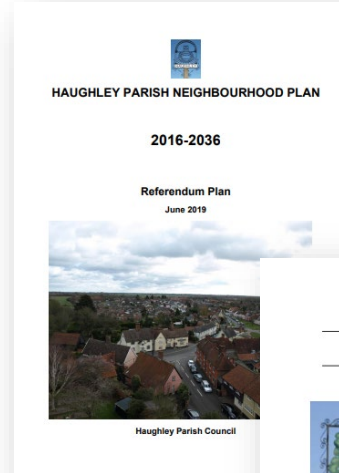


What support can I apply for?

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.



Talk to others ... read their Exam Reports !!



Other online resources ...



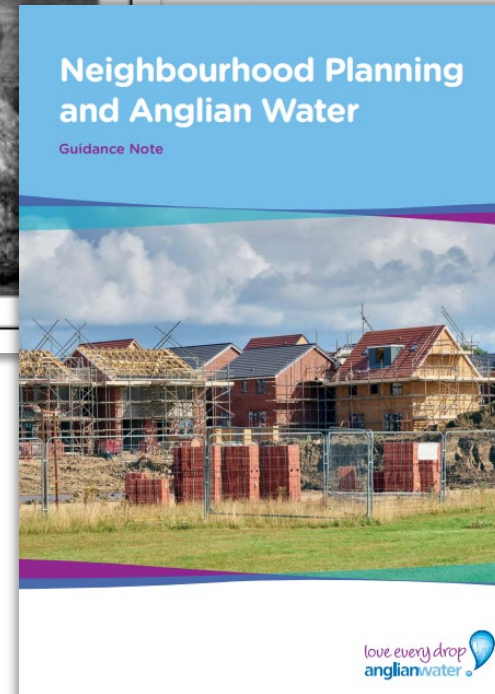
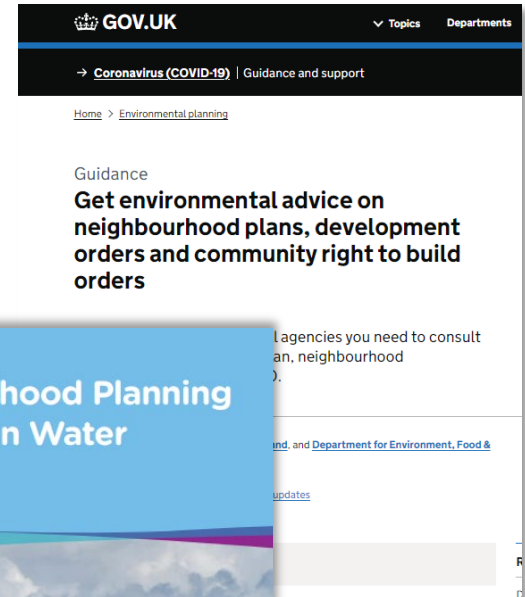
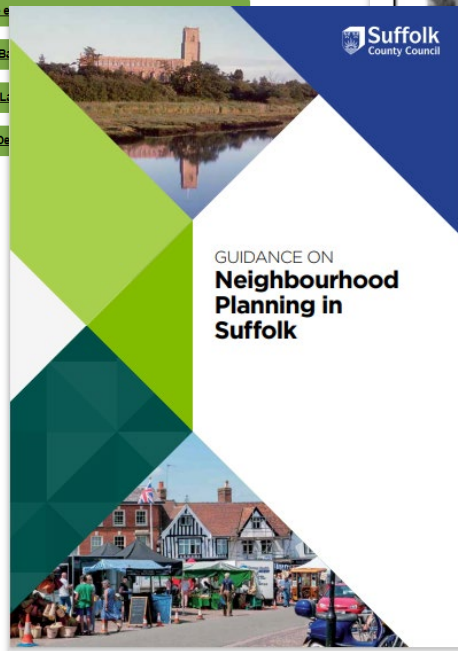
[Home](#) > [Planning](#) > [Planning Policy](#) > Evidence Base

Evidence Base

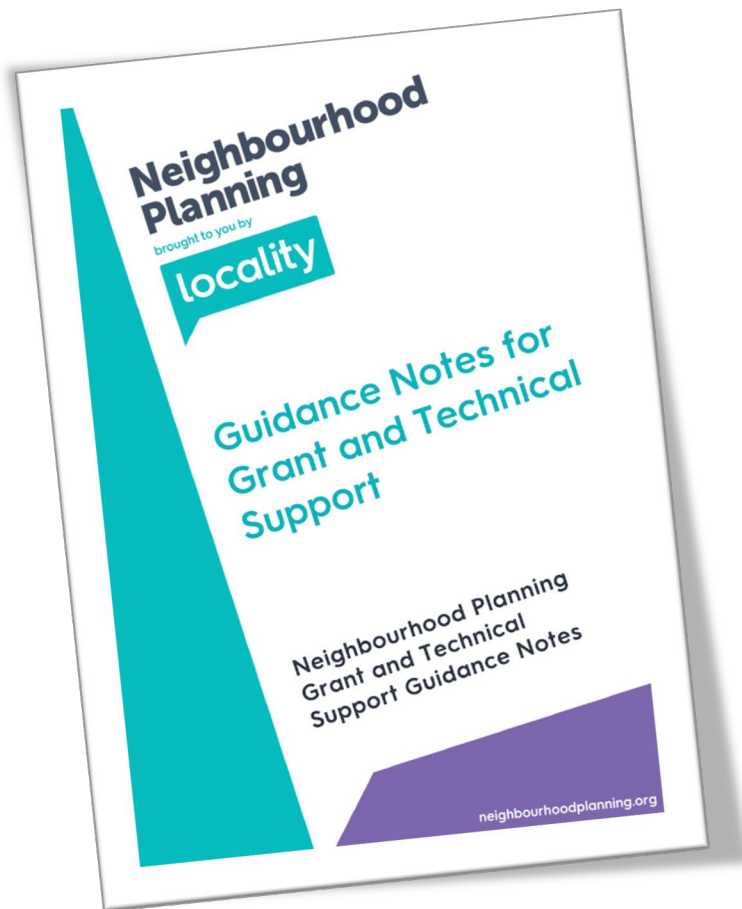
Babergh and Mid Suffolk District Councils have produced a range of documents to support the new Joint Local Plan, alongside the Annual Monitoring Report (AMR) and Housing Land Supply Position Statements.

Please click on the following links for more information on the separate evidence documents:

- [Annual Monitoring Report \(AMR\) and Housing Land Supply Position Statements](#)
- [Current Evidence for the](#)
- [Historic Evidence for B](#)
- [Brownfield L](#)
- [Housing De](#)

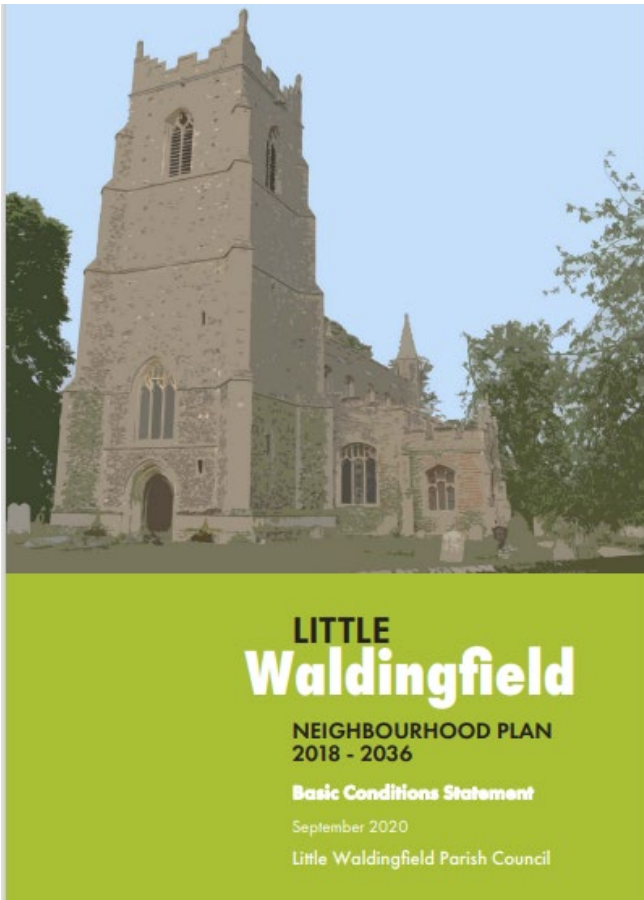


Grant Funding



- Accessed via 'Locality'
- Basic grant = £10k ... **but a word of warning** ... current prog' ends 31 March 2023 and no news yet on what happens beyond that
- Additional grant (up to £8k) if you meet certain criteria
- Tech' Support Packages
e.g. Site Allocation Assessment (via AECOM)

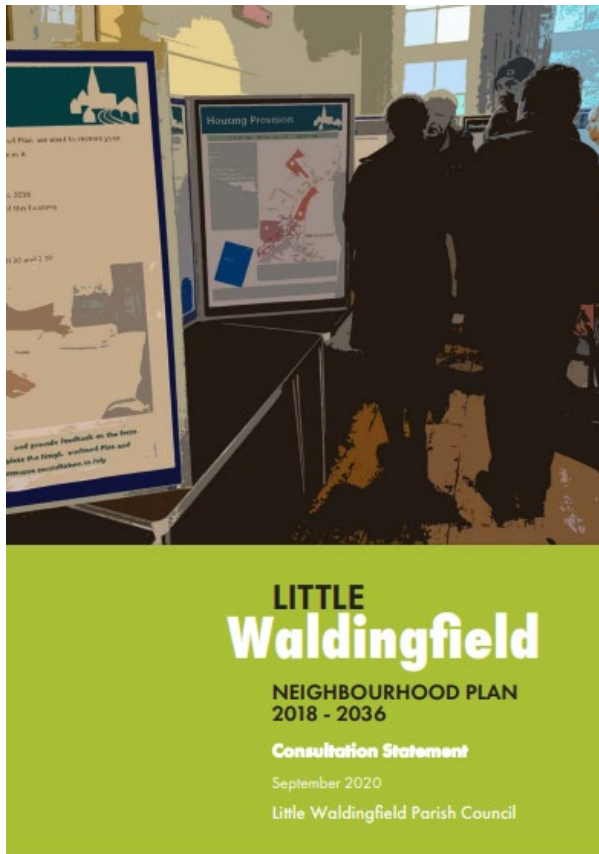
The 'Basic Conditions' Statement



To be successful at examination a NP must meet certain test = the “Basic Conditions”

- Have regard to National Policies and advice (e.g. NPPF, NPPG)
- Contribute towards the achievement of sustainable development
- Be in general conformity with strategic policies in the Development Plan ... *this can includes evidence that informs emerging policy, i.e. the Joint Local Plan*
- Does not breach, and is otherwise compatible with EU obligations and human rights requirements

Don't neglect your Consultation Statement ...



Reg 15 - Plan Proposals & mod' proposals

(2) In this regulation “consultation statement” means a document which

- (a) contains details of the persons and bodies who were consulted about the proposed NDP or NDO as proposed to be modified;
- (b) explains how they were consulted;
- (c) summarises the main issues and concerns raised by the persons consulted; and
- (d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan or neighbourhood development plan as proposed to be modified.

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 (Q&A's)
- Confidential Fact Check before Final Report
- Examiner determines if NP can proceed to referendum
- Simple 50%+1 'Yes / No' vote
- If successful, we must 'make' (adopt) the Plan

Some closing thoughts ...

- Think carefully: What do you want to achieve?
- Decision is yours but – it's a shared journey
- Policies should be linked to 'Vision & Objectives'
- We are 'custodians' of the adopted Plan but you need to keep it under review and be prepared to modify it as necessary (i.e. repeat the process)
- **Add real value at the local level**



Thank you for listening

Any questions?

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