

Neighbourhood Planning

Introduction

The Localism Act 2011 introduced Neighbourhood Planning as a way of passing decision making to a more local level, from national and regional levels to local government and from local government to local communities.

What is a Neighbourhood Plan?

A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of a Parish (or group of parishes). It may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It can deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport) or it may focus on one or two key local issues only.

A Neighbourhood Plan if adopted after a successful examination and referendum will be part of the statutory development plan for the area. This statutory status gives Neighbourhood Plans more weight than some other local documents, such as parish plans, community plans and village design statements.

A Neighbourhood Plan must comply with European and national legislation such as Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA) and must have appropriate regard to national policy and be in general conformity with the strategic policies of the Local Plan. It should not promote less development than that identified in the Local Plan (such as new housing allocations) but it can allow greater growth levels. Also, it can specify policies and guidance on how new development should be designed, orientated and located. The timeframe for the Neighbourhood Plan to cover will be for communities to decide.

Neighbourhood Plans will require a full programme of community engagement and a strong, proportionate evidence base.

Myths about Neighbourhood Plans

A number of myths have arisen around neighbourhood plans which can be dispelled:

Myth 1: You have to have one.

There is no requirement to have a Neighbourhood Plan it is up to the residents of the parish to decide if they wish to do one or not.

Myth 2: They can be used to stop development and override existing planning permissions.

Neighbourhood Plans cannot be used in this way. They are about delivering and shaping development. They must facilitate the strategic intentions of the Local Plan, or will not be considered sound at Examination

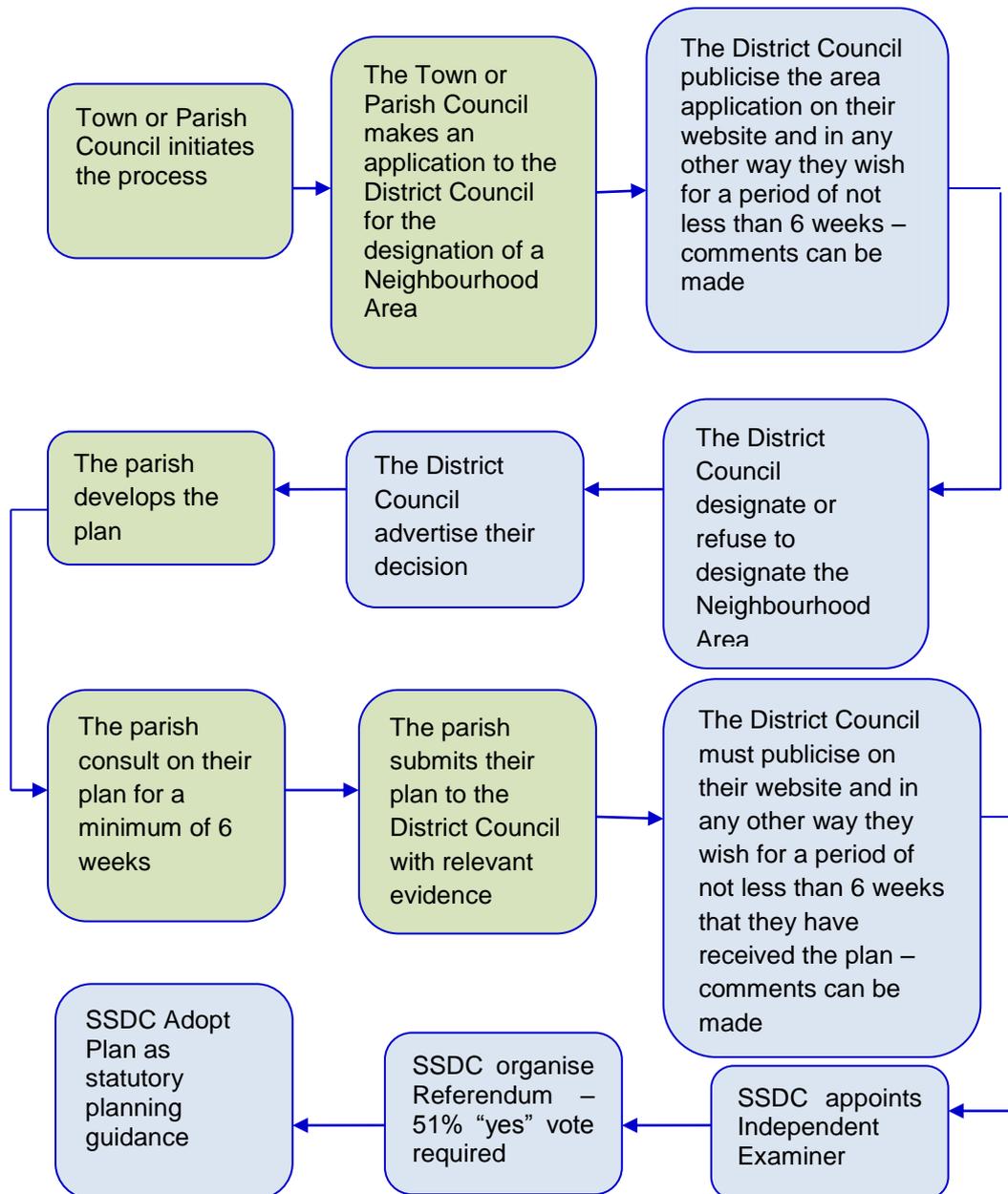
Myth 3: Neighbourhood Plans are the only way to control development.

National guidance (National Planning Policy Framework) (NPPF), the saved policies of the South Somerset Local Plan 1991-2011 and the emerging South Somerset Local Plan 2006-2028 contain policies that protect land and buildings from harmful development. Additionally parishes can address local issues by working alongside developers, the community and

District Council officers to achieve the planning outcomes for their settlements through the development management process. The NPPF says that developers should engage with communities before submitting plans.

Key Stages for Preparing a Neighbourhood Plan

The key stages for producing a Neighbourhood Plan are set out in the diagram below this includes formally designating the Neighbourhood Area as required by the regulations (statutory requirements of the District Council are highlighted in blue parish responsibilities are in green).



‘Frontrunner’

Queen Camel Parish has become one of the Governments ‘frontrunners’; a group of neighbourhoods who have been pioneering the Neighbourhood Planning process. The Steering Group have been working hard take the project forward holding many community consultation events including a Planning for Real© exercise in 2012.

How South Somerset District Council will help with neighbourhood planning?

South Somerset District Council Officers will help and advise communities who are thinking about producing or are in the process of producing a neighbourhood plan.

The responsibility for producing a Neighbourhood Plan lies with the parish, who are expected to resource the process.

Local planning authorities have a statutory duty to:

“give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances , they consider appropriate for the purpose of or in connection with facilitating the preparation of Neighbourhood Development Plans.” [Schedule B of the 1990 Act] (‘duty to support’). Please note there is no legal requirement to give financial assistance.

The duty to support is not prescribed but may be at least expected to be:

- Providing information on the neighbourhood planning process and planning issues
- Provision of constraints mapping information
- Data provision
- Consultation expertise
- Policy guidance

The District Council is responsible for paying for the costs of the examination and referendum.

Approved procedure for dealing with applications to become a Neighbourhood Area

The following process has been approved by South Somerset District Council to designate a Neighbourhood Area:

(i) Council publicise Neighbourhood Area applications for a seven week period using SSDC’s website, the Area Committee Agenda, Town/Parish Council parish notice board, parish website/magazine and at local venues such as the shop, post office, pub or use any other means they consider will raise awareness of the proposal locally. Email/letter to adjoining parishes and ward members, email/letter to relevant parish ward member/s. Notify where know affected landowners or interest groups. Advertise in local press.

(ii) Responses collated.

(iii) Report made to District Executive Committee with recommendation (following consideration of responses) where:

- There are a significant number of businesses operating in the area
- The area overlaps with an existing Neighbourhood Area
- The community relies on a much wider population or facilities in a neighbouring area
- Local Plan allocations or directions for growth extend into the proposed area
- There have been significant issues raised through the consultation process.

In all other instances the decision to approve a Neighbourhood Area will be delegated to the Assistant Director Economy after consulting with the relevant affected Ward Members and Portfolio Holder.

Useful links:

There is a considerable amount of published advice on Neighbourhood Planning the Planning Advisory Service (PAS) has a set of very useful frequently asked questions, these can be accessed via the following link:

<http://www.pas.gov.uk/pas/core/page.do?pagelId=1802659&path=1089058.108832>

Also available on the PAS web site is the Neighbourhood Plans Roadmap Guide produced by Locality, this is a guide designed to help Town and Parish Councils decide whether or not to produce a Neighbourhood Plan and if they do decide to go ahead to guide them through the process of producing the plan and how it will be delivered.

Neighbourhood Plans Roadmap:

http://planning.communityknowledgehub.org.uk/sites/planning.communityknowledgehub.org.uk/files/the_roadmap_1.pdf