



Neighbourhood planning

a guide for ward councillors

Contents

Foreword	3
How does neighbourhood planning work?	5
Process map	10
What role does the planning authority have	11
Questions	13
Your role and getting started	15
Further support	19

Foreword

The Localism Bill sets out how communities will be able to get more involved in planning for their areas – specifically around creating plans and policies to guide new development and in some cases granting planning permission for certain types of development.

Neighbourhood planning is about letting the people who know about and care for an area plan for it. It is led by the residential and business community, not the council, and is about building neighbourhoods – not stopping growth.

Neighbourhood planning is optional but if adopted by the Council, neighbourhood plans and orders will have weight becoming part of the plan making framework for your area.

Neighbourhood planning is also not entirely new – it can build on existing community planning work.

If you felt a bit removed from planning as a ward councillor then neighbourhood planning is an opportunity for you to get more involved – even if you've previously been put off planning by perceived complexity, controversy or jargon.

This guide is to help you:

- understand the basics of neighbourhood planning
- think about what this means for your community
- think about your role as a ward councillor.

Please remember that until the Localism Bill is enacted some specific details may change.



How does neighbourhood planning work?

Prepared by community groups

Neighbourhood planning is not led by the local authority. These are the ‘Qualifying Bodies’ who can prepare a plan:

Parish and town councils

The area covered by the plan may be the parish/town boundary, just a part of it, or combined areas. You can help define the right area to deal with the right issues.

Neighbourhood forums

These can be set up to prepare neighbourhood development plans in areas without parish councils. There can only be one forum per neighbourhood area. The boundaries for the neighbourhood will be proposed by a community group but the council will need to agree this. Forum membership will be open to residents, employees and businesses. In May 2011 the government tabled a Bill amendment to raise the minimum membership of a forum to 21.

Businesses, investors, developers and other commercial organisations will be able to get involved with the forums or parishes. With their agreement, businesses could sponsor the process.

What is it?

Communities can choose to use any or all of the new neighbourhood planning tools to help shape and deliver new development in their areas. As they will have a statutory status they must be prepared following a formal process.

Neighbourhood development plans

These will set out a vision for an area and planning policies for the use and development of land. It will be about local rather than strategic issues. For example it could cover where new shops, offices or homes should go and what green spaces should be protected. The plan does need to be compatible with national policies and the policies in the authority's local plan. It should be focused on guiding development rather than stopping it. If adopted it will become a statutory plan and be used in making decisions on planning applications.

Neighbourhood development orders

These can grant planning permission for specified developments in a neighbourhood area, for example, certain types of household extensions, shop fronts, 'green energy' proposals. Where there is a neighbourhood development order in place there would be no need to apply to the council for planning permission for the development it covers. This is a bit like a Local Development Order that a council can do.

More information on Local development orders is available on the PAS website at www.pas.gov.uk/ldo

Community right to build orders

This is similar to a neighbourhood development order.

Appropriately constituted community groups will be able to identify land for new, small scale development such new homes, shops or other community facilities.



What will it cover?

Although there is a lot of community planning work out there, no neighbourhood development plans have been done yet.

- The Government is running a ‘front runner’ project involving 42 councils working with communities on neighbourhood planning. They cover a big range of planning issues.
- Affordable housing is a critical issue for the community in Lynton and Lynmouth. Their town council is working with Exmoor National Park to work up a series of sites and appropriate policies to enable affordable housing.
- In Gedling, the neighbourhood plan for Newstead Village focus will include the need for a more balanced housing offer in the village, anti-social behaviour, community facilities and enhancing its village centre.
- For the community of Devonshire Park in Birkenhead ‘preserving the character and balance of our unique neighbourhood’ is the aim of their neighbourhood planning work. This will include preserving their housing stock and the physical fabric and architecture, green character and spaces and community safety in their area.
- In Much Wenlock, Shropshire, community needs and priorities identified and to be included in their planning work cover improved traffic management in the town, affordable housing, the retention of high street retailing, and improvements to leisure facilities.

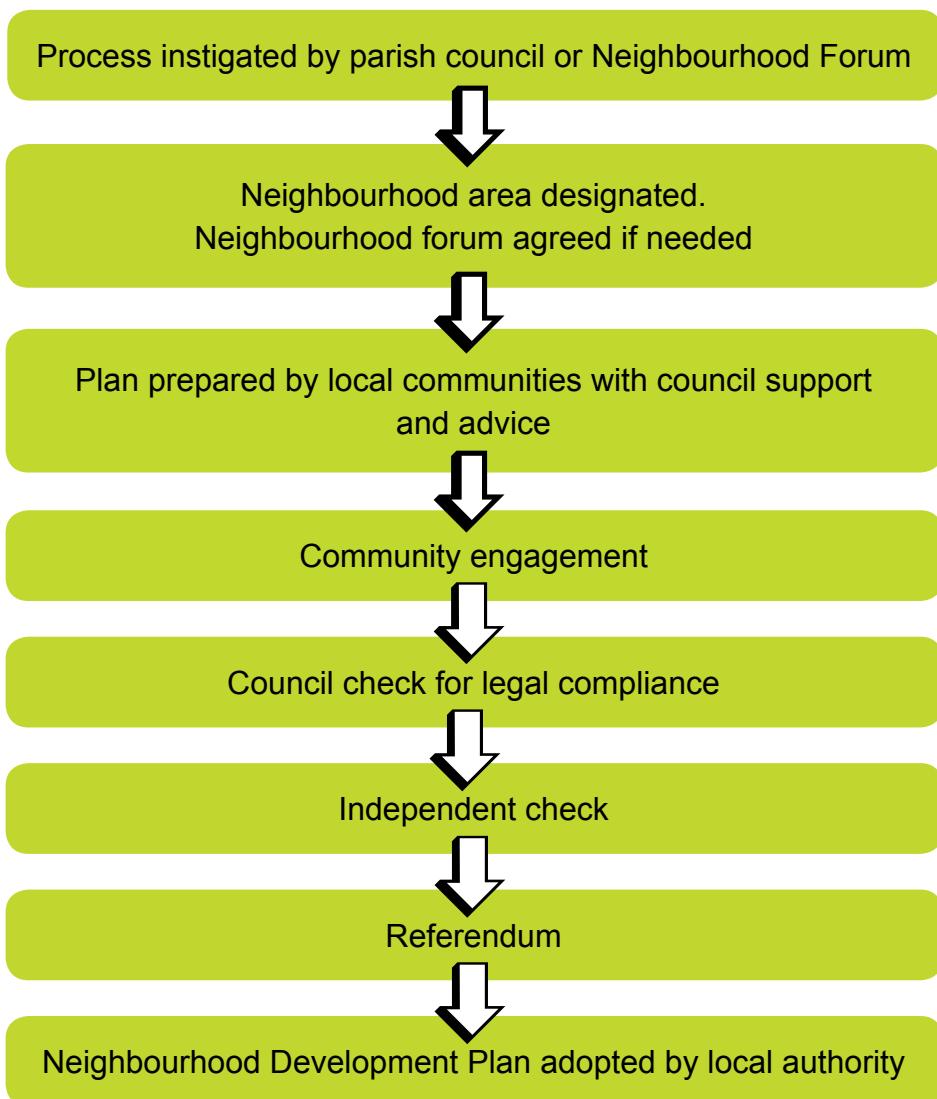
- The neighbourhood plan for Bookham, Surrey will address topics including planning for a wider range of new homes in the area eg affordable and smaller homes and housing for the elderly, maintaining the vitality of the village centre and infrastructure needs.

You and the community – using local knowledge and passion – will know what is important. But as a local councillor you can help make sure the issues raised are compatible with the local plan and avoid wasting time by going up the wrong garden path.

There may be planning issues for which a neighbourhood development plan or order isn't an answer. For example, if whole scale change or regeneration is needed with involvement of and funding from other bodies, then an action area plan might be the right route. Talk to the planning officers about this.



Process map



What role does the planning authority have?

The local planning authority has to provide ‘technical advice and support’ to communities preparing neighbourhood development plans but it’s up to you to decide what this should be. It could include gathering evidence, help with facilitation or advice on consultation. It can – but doesn’t have to – include financial support. You’ll need to think about how this is resourced and how much you’ll be able to do, and this will depend on how much neighbourhood planning activity comes forward.

The council also has to agree and formally designate a neighbourhood area. They can cross authority boundaries. If proposals come forward for overlapping areas the council, including ward councillors, will need to arbitrate, and decide which boundary makes most sense in planning terms.

In non-parished areas a neighbourhood forum will need to be formed and designated by the council against a range of criteria, such as the forum having tried to recruit a broad section of the community including residents, businesses and councillors.

Once the plan is written, the council needs to check it against the legislation and regulations. This check isn’t about saying whether the content is right or wrong, but about the consultation and procedure followed.

If the plan is alright, the council has to arrange (and pay for) an independent check. This will look at the plan/orders fit against the local plan, national policies, and any adjoining neighbourhood plans. If it passes the check, the council needs to arrange (and pay for) a referendum on the plan or order. The referendum can go beyond the neighbourhood area if its impacts will be felt more widely. If it is agreed by a majority, the council then adopts the plan or order.

How much will it cost the local authority?

The costs will depend on the nature and scale of help and support provided. It is up to the authority to decide what it wants to do here – how many neighbourhood development plans are anticipated? How equipped and ready are the parishes/forums? Do they already have survey data and evidence or can the authority provide this? What technical support, for example around sustainability appraisals, can be provided or will you expect the neighbourhood group to find and fund this themselves? As a minimum there will be costs associated with the independent check and referendum. Funding from the Government will be made available to help cover these costs but no details are available as yet.

How much will it cost the community?

Not much is known about this yet. But it will take time and probably some money. It partly depends on how complex the plan is and on how much help and support the authority can give. There may be scope for some sponsorship from local businesses or landowners; just think about how this might be perceived, though.

Questions

From the work that PAS and the wider Local Government Group have done with councillors and planning officers, some concerns have been raised around the system and how it will work. These questions are:

What happens if there isn't an adopted local plan?

Around 25 per cent of authorities have an adopted core strategy. This can be used to set the strategic framework for neighbourhood planning. Where there isn't an up to date local plan there's no strategic context and neighbourhood plans will only need to be compliant with national planning policy.

Our advice: Put the pressure on to make sure your local plan (core strategy) is focused on what is strategically important and progressed as quickly as possible.

Won't people think neighbourhood planning will enable them to stop housing developments?

This isn't the intention. Communities will have influence over what housing will look like and where it will go – but not to stop it altogether when there is an identified local housing need.

Our advice: Explain this again, and again, and again.

Will single issues and the usual suspects dominate this?

Our advice: Get out and about to get as many people involved as possible; or at least ensure they are invited, too. Stand up and make sure the process is inclusive, the group representative and single issues don't dominate if there are wider issues to be addressed.

What is the difference between neighbourhood plans and community plans?

Community plans can cover all things important to a community. Neighbourhood plans relates only to the use and development of land in their area.

Our advice: Work with and build on existing community planning activities. A joined up approach to community engagement will help avoid confusion about the work help make best use of the resources available.

What happens if councillors don't want to get involved in shaping development but want to stop it?

Lots of councillors stand on a platform of opposing specific schemes or development in general.

Our advice: Think carefully about this. Policies in the local development plan will often be trying to balance preserving the special characteristics of places with the need for housing or economic growth. Neighbourhood plans which go against these are unlikely to get through the process. Work with your planning officers and communities to help chart a way forward or risk having development done to you rather than being done with you.

Your role and getting started

It is only after the Localism Bill is enacted that neighbourhood development plans can be examined, put to a referendum and adopted (currently scheduled for the end of 2011). But don't wait. If you aren't already involved in local planning, you can start now.

Neighbourhood planning puts all councillors centre stage in the planning process. You will be a first port of call for communities in your ward wanting to prepare neighbourhood development plans.

More than ever your role will be about explaining and managing community expectations, enabling, supporting, mediating, collaborating, explaining options and finding solutions. Although you will obviously want to champion your area, you'll need to do so within the context of the authority's strategic needs and plans. You can help promote the plan with the wider community and local areas, involve businesses to promote and deliver new development to meet community ambitions.

At a recent PAS event on neighbourhood planning, councillors identified that their priority responsibilities are to:

Understand

- Be clear about what neighbourhood planning is, what it can and can't do and what it means in practice. It's not about stopping development but about getting it right for the area.
- Neighbourhood planning has to take place within the context of the authority's strategic planning work – do you know much about this? Find out. There's no point in supporting the neighbourhoods on an issue in conflict with the local plan – the plan won't get passed.

Manage expectations

- Anecdotally, many councillors feel that communities think this will mean they can plan how they like – but it isn't a free for all. There are still parameters set by national and local planning policies. You might have to repeatedly make this clear to communities.
- Work with your communities to ensure that planning proposals are both feasible and viable. Any proposals will need to be, realistic, in line with the strategic plans for the area and deliverable.
- Be clear about what support the local planning authority can offer.

Communicate

- Articulate, with the community, needs and priorities.
- Bridge the gap between your community and officers, working with both to find the best way forward: neighbourhood development plan or order, community plan or the more strategic local plan or area action plan.

Represent

- The local authority will have to agree the neighbourhood areas in your ward or possibly across ward boundaries. Get involved in this process and share your local knowledge.
- Make sure the full spectrum of your neighbourhood is represented in the process and not just the usual suspects.
- Ensure the issues identified in a neighbourhood plan are truly representative of needs on the ground.
- Understand the type of help and support needed by community groups.
- If you're not already involved, join your parish/town councils or neighbourhood forums when they form.
- Work with other ward members to represent the interests of your local areas.

Mediate

- Work with communities, local business, residents, schools, service providers to find new, joined up approaches to delivering on needs and ambitions.
- Manage competing or conflicting proposals in neighbourhood development plans for your ward and those in others.

Understand resource implications

- Think about how much demand there will be for neighbourhood planning in your ward or across the whole authority area. Talk to your community groups, parish/town Councils, residents associations, business forums to get a feel for the level of demand. Who is already doing community planning – are there resources there that can be used?
- Work out how your authority's limited resources can really help support neighbourhood planning eg what type of support can you offer on evidence, the technical aspects etc. But remember, neighbourhood planning is optional – what value will it add to the area?
- Work with colleagues to assess needs and allocate resources between neighbourhoods.
- Understanding how the council will allocate new financial resources eg from New Homes Bonus and CIL.
- Referendums – it's not just in planning that these can happen. Work corporately on a programme to avoid holding them repeatedly.

Recognise the long haul

- The process of adopting a neighbourhood plan is only the beginning. It will require support and continued care to deliver its goals.
- For neighbourhood planning to really take off it must involve people in making things materially improve. This will involve oversight and mediation as priorities and needs change over time.
- Neighbourhood planning requires everyone involved to listen, learn and collaborate. There will be bumps along the way as people find new skills and make new relationships.

Further support

Further support for councillors is available from the Planning Advisory Service website. This includes a number of downloadable briefings. We are also planning a number of events throughout 2011 to help councillors understand and respond to planning reform.

www.pas.gov.uk

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