

## A CLERK'S EYE VIEW...What you should know about #2.....

### NEIGHBOURHOOD PLANS (a *(very)* basic intro!)

Neighbourhood planning was introduced in the Localism Act 2011 and it provides a statutory right for local people and businesses to influence how development will occur in a sustainable and fair way in their specific locality.

Having a Neighbourhood Plan is NOT about preventing development! Quite the opposite.

If a submitted Neighbourhood Plan is adopted by the local authority, it will form part of the statutory development plan for the area and as such, will take precedence over the planning authority's Local Plan in determining planning permission for non-strategic development. **BUT** a Neighbourhood Plan can be overridden by policies in an emerging Local Plan if it wasn't aligned with it. Even if it was engaged, it can be changed during examination. Neighbourhood plans can also become out of date if national policy changes. Many neighbourhood plans are becoming out of date owing to wider changes in planning – including the government's aim to boost housing. They are likely to require substantial modification, necessitating the neighbourhood to repeat the whole process because the plan needs to speak for the wider community and be robust and deliverable<sup>1</sup>.

It may be easier for the planning authority to put development in an area that a community has said it will accept (via its Neighbourhood Plan) rather than in an area that does not have a plan that the community will fight against.

Amber Valley Borough Council granted "designation" to Holbrook Parish on November 2016 to enable it to produce a Neighbourhood Plan, but following a lot of work by the Parish Council in preparation and liaison with a small group of residents, there was not enough involvement by the community to progress the production of a plan.

The Key principles of a Neighbourhood Plan:

- Community initiated (the parish / town council will support and advise)
- Must be realistic
- Must be based on evidence and agreed through consultations with the community

A Neighbourhood Plan must meet certain specified 'basic conditions', these will be tested through the independent examination of the Neighbourhood Plan.

The basic conditions are:

- Must have appropriate regard to national policy
- Must contribute to the achievement of sustainable development
- Must be in general conformity with the strategic policies in the development plan
- Must be compatible with human rights requirements

Producing a Neighbourhood Plan is resource intensive – time and effort to research and consult (av. time is 2 yrs); it is expensive – (cost range is £10,000-£86,000<sup>2</sup> depending on scope, complexity etc. though grants for some costs are available), demands a lot of volunteer time, requires demonstrable community consultation and a referendum.

**HOWEVER...** A Neighbourhood Plan is not the only way for a community to influence the development of its area. There are other planning options open to communities; amongst these are: **Village Design Statements and Parish Plans**

The table below<sup>3</sup> provide a summary of the differences between these options:

	Village Design Statement	Parish Plan	Neighbourhood Plan
<b>AIM</b>	To encourage developers and householders to design new development so that it is in keeping with local character	Takes a more 'holistic' approach. It sets out a vision for how the community wants to develop in the future and to identify the actions required to achieve it.	To enable development. To decide where and what type of development should happen in the local area. To promote more development than is set out in the Core Strategy.
<b>SCOPE</b>	It should be about the design of new development and not be used to detail what type of development should take place in an area or to seek to protect local services or amenities	Can include everything that is relevant to the local community, including social, economic and environmental issues. It can include more than planning related issues.	It is primarily about the use and development of land and buildings.
<b>STATUS</b>	May be used by officers in the determination of planning applications.	If the Parish Plan is adopted as a material consideration, it can be used by officers in the determination of planning applications.	A formally adopted plan carries more weight in the decision-making process. It becomes a development plan document, forming part of the Local Authority Development Plan.

Sources:

1. *The Planner: the business monthly for planning professionals 2017*

[www.theplanner.co.uk/opinion/time-for-change-modifying-a-neighbourhood-plan](http://www.theplanner.co.uk/opinion/time-for-change-modifying-a-neighbourhood-plan)

2. MHCLG - Cited by West Berkshire Council 2016

<https://www.westberks.gov.uk/media/48920/WBC-NP-Advice-Note-3-Cost-of-producing-neighbourhood-plans>

3. *Neighbourhood Planning – A simple guide for Councillors, Local Government Association 2013*

Siobhan Burton, Clerk to Holbrook Parish Council