

# Neighbourhood Planning

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# Localism Act - Giving communities and individuals more power

Through a package of **Rights**:

- The Right to Plan
- The Right to Build
- The Right to Challenge
- The Right to Buy

Department has launched a community rights 'micro site' that explains all the new rights introduced in the Localism Act - <http://communityrights.communities.gov.uk>

- What is new ? Real statutory weight
- Building on the best of community-led planning
- Community-led – reduced LPA discretion
- All existing tools remain available
- The Basic Conditions
- Shaping not stopping development



## Localism Act - Basic Conditions

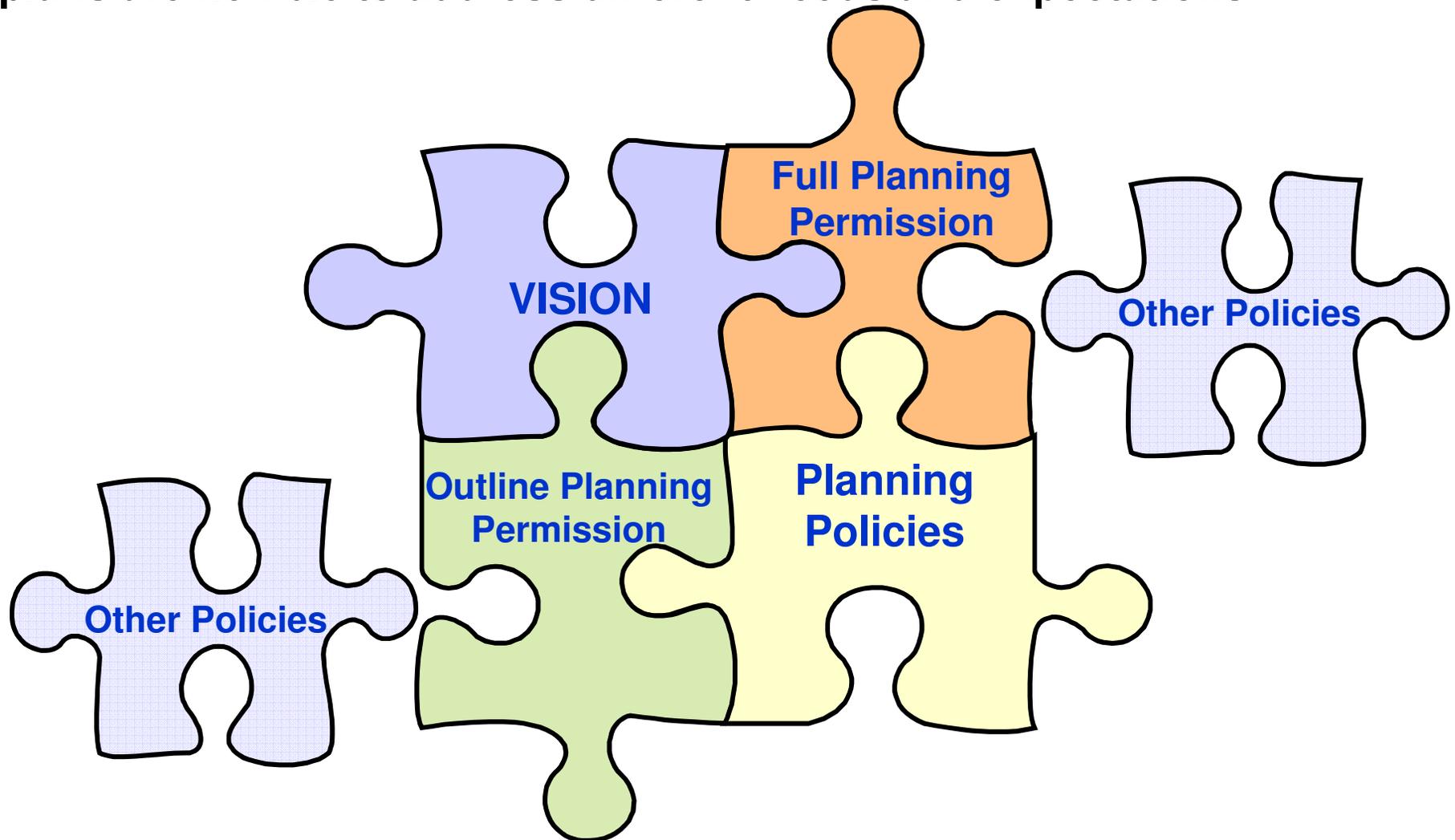
- they must be appropriate having **regard to national policy**;
- they must be in **general conformity with the strategic policies** in the development plan for the local area
- they must be **compatible** with EU obligations
- they must be **compatible** with human rights requirements
- They must **contribute** to the achievement of sustainable development

For neighbourhood development orders and community right to build orders:

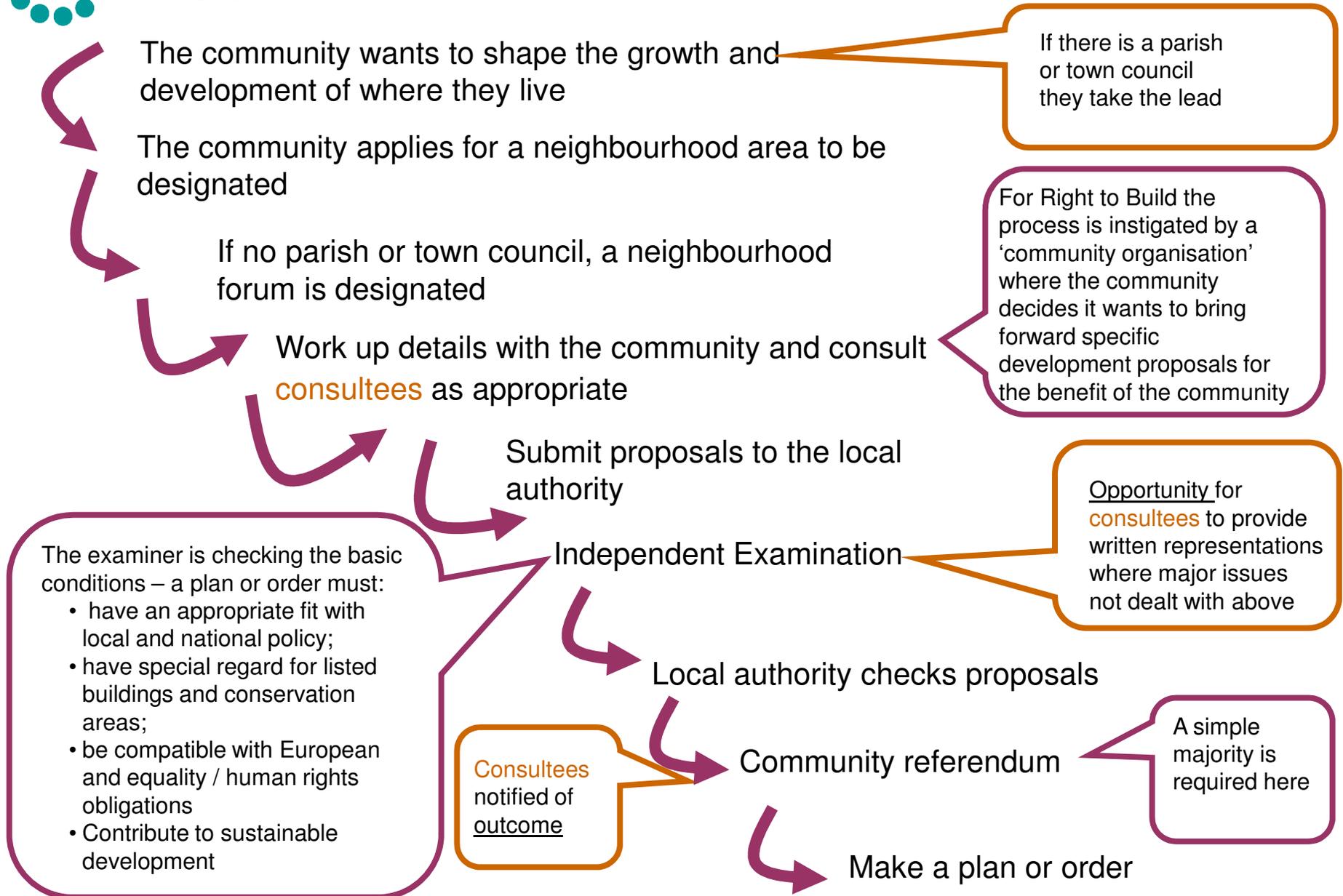
- they must have **regard to** the protection and enhancement of listed buildings and conservation areas.

## Flexibility- putting neighbourhoods in control

**For neighbourhood to decide what a neighbourhood plan contains – plans are flexible to address different needs and expectations**



# Neighbourhood Planning & Right to Build



# Local authority role

The community wants to shape the growth and development of where they live

The community applies for a neighbourhood area to be designated

If no parish or town council, a neighbourhood forum is designated

Work up details with the community and consult consultees as appropriate

Duty to support here  
e.g. advise on general conformity with strategic policies of Local Plan; when/which consultees to involve; evidence requirements

Submit proposals to the local authority

Independent Examination

Local authority checks proposals

Community referendum

Make a plan or order

Publicise proposed area and designate a neighbourhood area

Publicise proposed forum and make decision on designation

Checking that group is authorised to act & all required information has been submitted  
NOT assessing merits of plan / order

Publicise, including how to make representations

Send submission and written representations to examiner

Appoint examiner with consent of community

- Consider examiner's report
- Satisfied proposal meets basic conditions, including EU or can meet conditions with modifications
- Agree referendum area

Arrange for referendum/s to be held

Publicise / notify decision

## Legislation – progress

- 4<sup>th</sup> Commencement Order - 6 April 2012 brought in all neighbourhood planning provisions (with exception of referendums) e.g. duty to support
- Neighbourhood Planning (General) Regulations 2012 - 6 April 2012
  - designating neighbourhood area and neighbourhood forum
  - preparation of neighbourhood development plans and orders and Community Right to Build Orders
  - amendments to Habitats and EIA regulations (no changes required to regulations on SEA)
- Consequential amendments planned e.g. to DMPO planning register to recognise NDOs
- We are working towards ensuring that regulations on the holding of neighbourhood planning referendums will commence from summer / autumn 2012.



## Front Runner programme

- Five 'waves' of frontrunners with about 230 Neighbourhood Planning Front Runner projects
- Over two thirds of Front Runners are led by Parish/Town Councils
- Over 100 local authorities are now working with communities on neighbourhood planning
- Recently spoken to majority of front runner community leads for waves 1 – 4 to hear about progress and emerging lessons.
- No immediate plans for another front runner wave.

## Key messages from Front-Runners

- **Existing parish arrangements helpful in giving a head start;** but neighbourhood planning works outside of parishes
- Communities have found neighbourhood planning more difficult than they envisaged and it is taking them longer than they first thought. **First steps often the hardest.**
- Found LPAs to be generally supportive.
- **Content of neighbourhood plans** – strong focus on provision of affordable housing, public realm, town centre regeneration.
- **Motivations** – many involved because they want to ‘**improve my local area**’. Some groups emerged from anti-development protest. But most see neighbourhood planning process as helpful – an **opportunity to be proactive** about planning in their local area, rather than reactive. Positive about having the power ‘to get on with it’ and bring benefits to local area for long-term.

## Different types of Neighbourhood Plans emerging

### **Mini Local Plan**

- Comprehensive coverage of policy issues.
- Allocate development sites for wide range of uses

### **Neighbourhood Development Order (Minor development )**

- Residential – minor development (e.g. house extensions, windows)
- Town centre - change of use / minor changes signage
- Business park / industrial estate minor development

### **Policy and Allocation Plans**

- Neighbourhood plans covering a narrower range of issues.
- Often theme specific
- Allocate development sites for narrow range of uses.

### **Single Policy Document**

- Neighbourhood Plan covering a single policy issue (e.g. protection of green space)

### **Neighbourhood Development Order (Site specific)**

- Development of a particular site (e.g. small housing scheme under CRtB)

### **Policy Plans**

- Neighbourhood plans covering a broad range of policy issues.
- No site allocations.
- Similar to Parish Plans.
- Augment Local Plan policy



Thank you for listening.

Any questions?