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Campaign to Protect
Rural England
Standing up for your countryside

How to shape where you live: a guide to neighbourhood planning



In partnership with

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Campaign to Protect
Rural England
Standing up for your countryside

The Campaign to Protect Rural England (CPRE) fights for a better future for England's unique, essential and precious countryside. From giving parish councils expert advice on planning issues to influencing national and European policies, we work to protect and enhance the countryside. We believe a beautiful, thriving countryside is important for everyone, no matter where they live. Nationally, we don't own land or represent any special interests.

Our members are united in their love for England's landscapes and rural communities, and stand up for the countryside, so it can continue to sustain, enchant and inspire future generations.

We are a grassroots organisation, with a branch in every county, more than 200 local groups and 60,000 members and supporters. Our Patron is Her Majesty the Queen and our President is Bill Bryson.

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The National Association of Local Councils (NALC) is the national representative body for 9,000 local councils throughout England. In all there are over 80,000 community, parish and town councillors across England. These councillors, who serve electorates ranging from small rural communities to major cities, are all independently elected.

The councils have powers to raise their own funds through

council tax. Local councils provide employment for over 25,000 staff while their annual expenditure exceeds £500 million. Together, they can be identified as one of the nation's single most influential grouping of opinion formers. Around 16 million people live in communities served by local councils nationally – this represents up to 30% of the population. Over 200 new local councils have been created since 1997.

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How to shape where you live: a guide to neighbourhood planning

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How to shape where you live: a guide to neighbourhood planning



Acknowledgements

This guide was written by Land Use Consultants on behalf of the Campaign to Protect Rural England (CPRE) and the National Association of Local Councils (NALC).

Disclaimer

This guide was written and updated based on our best understanding of current and emerging primary and secondary planning legislation at the time of writing (March 2013).

Why is the planning system important?



Why is the planning system important?

Why is the planning system important?

England's planning system shapes new development all over the country, making sure it's positive for people, the economy and the environment.

The system exists to ensure that development is in the public interest, weighing up its economic, environmental and social benefits and drawbacks. It plays a key role in making sure the places where we live and work are attractive, vibrant and well designed.

The planning system can make sure that development supports regeneration and meets the needs of local communities. It can support the development of affordable housing. It can make sure that new development in historic areas takes into account its surroundings. And it can prevent development where it would cause unacceptable environmental damage.

We have now entered into a new era for planning. The Government is placing a renewed emphasis on planning at the local level because it believes that local people know best what local needs are and how they can be met. A key component of the new approach to planning is the Neighbourhood Plan. This new type of plan means that local communities can come together to shape the future of their area.

Neighbourhood Plans provide a great opportunity for you to have more influence on how the places in which you live and work will change over time. Your local knowledge, and your sense of what needs to be protected and what needs to change, can really make a difference.

How this guide can help you

We've put together eight simple steps to take if you want to prepare a Neighbourhood Plan. This guide is not meant to be prescriptive – there are many ways in which a Neighbourhood Plan could be prepared – and the whole community should play a part in deciding on a process.



**ALWAYS REMEMBER,
IF IN DOUBT, SPEAK TO
YOUR LOCAL PLANNING
AUTHORITY – YOUR
LOCAL PLANS TEAM
WILL BE ABLE TO HELP**

Why is the planning system important?

But if you follow the approach set out in this guide you can be confident that you are doing all the right things. This will mean that your Neighbourhood Plan stands the best chance of being formally adopted as part of the development plan for your community.

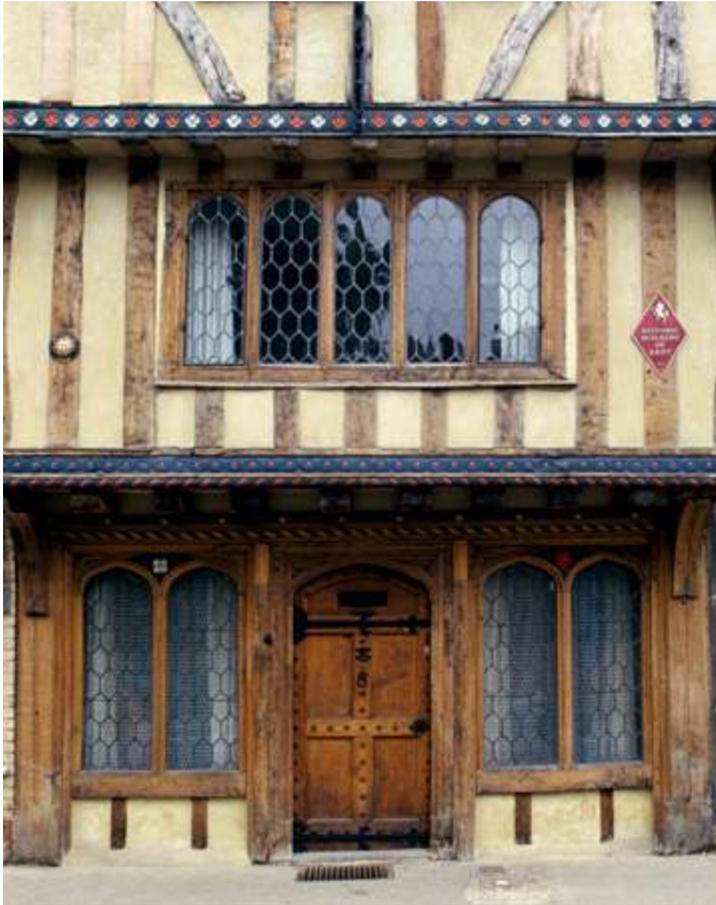
Your local planning authority is there to assist you

Although Neighbourhood Plans can be similar to other community plans, such as Parish Plans, they do need to follow certain procedures. If you are thinking of preparing a Neighbourhood Plan, we strongly recommend that you speak to the local plans team at your local planning authority first.

Neighbourhood Plans provide a great opportunity for you to have more influence on how the places in which you live and work will change over time ►



Why is the planning system important?



◀ *Your local knowledge, and your sense of what needs to be protected and what needs to change, can really make a difference*

What is neighbourhood planning?



What is neighbourhood planning?

What is neighbourhood planning?

There are two main mechanisms for neighbourhood planning – Neighbourhood Plans and Neighbourhood Development Orders. Each enables a community, including both local residents and businesses, to achieve different things and so communities should consider what they want to achieve first, and then decide which mechanism will best enable them to do this.

A Neighbourhood Plan (sometimes called a Neighbourhood Development Plan) is a way of helping local communities to influence the planning of the area in which they live and work. It can be used to:

- Develop a shared vision for your neighbourhood.
- Choose where new homes, shops, offices and other development should be built.
- Identify and protect important local green spaces.
- Influence what new buildings should look like.

In areas that are dominated by business interests, so for example a trading estate, a Business Neighbourhood Plan could be developed. It will follow the same process as a normal Neighbourhood Plan but in that area two referenda will be held as businesses, as well as any residents, will have a right to vote. This is covered in more detail under **Step 8** on p.46.

A **Neighbourhood Development Order** can help to implement a shared vision by granting planning permission to certain types of development in certain locations, without the need to submit a planning application to the local planning authority. A Neighbourhood Development Order can apply to all of the Neighbourhood Plan area, or a particular site within the neighbourhood.

What is neighbourhood planning?

The process for preparing a Neighbourhood Plan and a Neighbourhood Development Order is very similar. So although this guide refers to Neighbourhood Plans, the process can also be used for Neighbourhood Development Orders. Local people can choose to prepare a plan, or an order, or both.

Both Neighbourhood Plans and Neighbourhood Development Orders offer people a powerful new opportunity to plan the future of their communities.

Who can prepare a Neighbourhood Plan?

Unlike Local Plans, Neighbourhood Plans are not prepared by the local planning authority. There are two types of 'qualifying body' that can prepare a Neighbourhood Plan:



**READ THE LOCAL PLAN
CAREFULLY – IT'S AN
IMPORTANT DOCUMENT**

- **Parish and town councils:** In areas where a parish or town council exists, these are the only bodies that can prepare a Neighbourhood Plan. A Neighbourhood Plan produced by a parish or town council does not have to cover the whole area of the parish or town. A Neighbourhood Plan can cover just part of your parish or town if you prefer. Alternatively, a Neighbourhood Plan can extend across parish boundaries.
- **Neighbourhood forums:** Where a parish or town council does not exist, community members, including those with business interests in the area, can come together to create a neighbourhood forum. Only one neighbourhood forum is allowed to exist for each neighbourhood to be covered by a Neighbourhood Plan. There are certain rules that will determine whether a neighbourhood forum has been correctly set up. For example, a neighbourhood forum must have at least 21 members and, even if it is based on an existing community group, it must be open to new members. You should check with your local planning authority what these rules are to make sure everything is in order.

What is neighbourhood planning?

Top tip

Neighbourhood Plans are optional. There is no legal requirement for a community to prepare a Neighbourhood Plan. The policies in the Local Plan will still apply to your neighbourhood, whether you decide to prepare a Neighbourhood Plan or not.

What is the role of the local planning authority?

Your local planning authority is required to give you assistance and advice but it cannot control your Neighbourhood Plan preparation process. Nor can it produce a Neighbourhood Plan on behalf of your local community. It is the responsibility of the parish or town council, or the neighbourhood forum, to prepare the Neighbourhood Plan. It's your community's Neighbourhood Plan, although your local planning authority will have to agree and formally designate the neighbourhood area that is to be covered by your Neighbourhood Plan. The local planning authority will also have to formally approve the neighbourhood forum where relevant.

Your local planning authority can provide information and may have evidence which could help inform the preparation of your Neighbourhood Plan. They may also help with consultation processes to assist with the preparation process but it is under no obligation to do so.

Your local planning authority will also be required to check your proposed Neighbourhood Plan to ensure that it meets all the relevant legislation and regulations. It will also check that it generally conforms to the strategic elements of its own Local Plan.

Once your local planning authority is happy that your Neighbourhood Plan has been prepared correctly, it will arrange for an independent examination. If your Neighbourhood Plan passes the examination, your local planning authority will be responsible for arranging a local referendum on the Neighbourhood Plan. The costs incurred by the examination and the referendum will be paid for by your local planning authority.



YOUR LOCAL PLANNING AUTHORITY'S STATEMENT OF COMMUNITY INVOLVEMENT MAY IDENTIFY GROUPS YOU SHOULD INVOLVE IN PREPARING YOUR NEIGHBOURHOOD PLAN

What is neighbourhood planning?

If the referendum supports your Neighbourhood Plan, then your local planning authority must adopt it as part of the overall development plan (which includes the Local Plan).

Some general principles for Neighbourhood Plans

While a Neighbourhood Plan is flexible to some extent in terms of what can be included, you cannot put whatever you like in it. Your Plan cannot conflict with European Union (EU) requirements or the Human Rights Act 1998. Crucially, it must also conform generally with the strategic policies in the Local Plan prepared by your local planning authority. If your local planning authority does not have a recently adopted Local Plan you should ask a planning officer at the authority which plan you should refer to.

The policies in the Local Plan will still apply to your neighbourhood, whether you decide to prepare a Neighbourhood Plan or not ►



What is neighbourhood planning?

What a Neighbourhood Plan can and cannot do

A Neighbourhood Plan can...

- Decide where and what type of development should happen in the neighbourhood.
- Promote more development than is set out in the Local Plan.
- Include policies, for example regarding design standards, that take precedence over existing policies in the Local Plan for the neighbourhood – provided the Neighbourhood Plan policies do not conflict with the strategic policies in the Local Plan.

A Neighbourhood Plan cannot...

- Conflict with the strategic policies in the Local Plan prepared by the local planning authority.
- Be used to prevent development that is included in the Local Plan.
- Be prepared by a body other than a parish or town council or a neighbourhood forum.

What can a Neighbourhood Plan contain?

So long as your Neighbourhood Plan complies with the above principles, it can be as narrow or as broad as you wish. But it must be primarily about the use and development of land and buildings. It can also have a say in how buildings should look (their 'design'), or the materials they are constructed from.



◀ *A Neighbourhood Plan can have a say in how buildings should look*

What is neighbourhood planning?

Typical things that a Neighbourhood Plan might include

- The development of housing, including affordable housing (affordable housing is housing that is not normally for sale on the open market), and bringing vacant or derelict housing back into use.
- Provision for businesses to set up or expand their premises.
- Transport and access (including issues around roads, cycling, walking and access for disabled people).
- The development of schools, places of worship, health facilities, leisure and entertainment facilities, community and youth centres and village halls.
- The restriction of certain types of development and change of use, for example to avoid too much of one type of use.
- The design of buildings.
- Protection and creation of open space, nature reserves, allotments, sports pitches, play areas, parks and gardens, and the planting of trees.
- Protection of important buildings and historic assets such as archaeological remains.
- Promotion of renewable energy projects, such as solar energy and wind turbines.

What is the 'Community Right to Build'?

A Community Right to Build Order, which is the mechanism for delivering the Community Right to Build, is a specific type of Neighbourhood Development Order. It allows a local community group to bring forward a small development, which might include proposals for new homes, business premises and/or community facilities, but it must be small scale in comparison to the size of settlement.

A community organisation, not just a parish or town council or a neighbourhood forum, is able to develop a Community Right to

What is neighbourhood planning?

Build Order. However, to be eligible, at least half of the community organisation's members must live in the neighbourhood area to which the Community Right to Build Order will apply. The organisation must also exist to further the economic, environmental and social well-being of the area in question. The community can work with partners or go it alone by setting up, for instance, a community land trust.

The process for preparing and adopting a Community Right to Build Order is broadly the same as that for a Neighbourhood Development Order.



◀ *A Neighbourhood Plan might include the restriction of certain types of development*

Deciding if you need a Neighbourhood Plan



Deciding if you need a Neighbourhood Plan

Deciding if you need a Neighbourhood Plan

Top tip

If you have already been involved in public consultation when the Local Plan was being prepared, all your concerns and aspirations may already be reflected in the Local Plan. If you are happy with what the Local Plan says, then you may decide that there is no need to prepare a Neighbourhood Plan.

If you feel that the Local Plan does not really address what you would like to happen in your community – maybe it doesn't mention your neighbourhood, or you would like more things to happen that aren't in the Local Plan, or you would like things to happen more quickly – then you should seriously consider preparing a Neighbourhood Plan.

It is important, however, to be aware that Neighbourhood Plans and Neighbourhood Development Orders are not your only options. For example, you could ask your local planning authority to prepare a Local Development Order or a Supplementary Planning Document (SPD) (also known as Supplementary Planning Guidance). If you are considering these approaches do be aware that your local planning authority may not be willing to go down this route and your community may have less control over the process and the resulting documents.

Other alternatives are the development of a Parish Plan, Village Design Statement or Community Action Plan, in fact your local area may already have one of these in place. These are non-statutory neighbourhood planning tools so the main difference to consider is that they will carry less weight in the decision-making process than a formally adopted Neighbourhood Plan. Parish Plans and Village Design Statements can, however, be adopted as SPDs but as noted above this will require the co-operation of your local planning authority.

Deciding if you need a Neighbourhood Plan

An advantage of a non-statutory neighbourhood planning tool is that their scope does not have to be limited to matters covered by planning law. So you could, for example, cover social issues or activities as part of the vision for your local area. Such documents may also help form part of the evidence base on which your Neighbourhood Plan can be developed.



THE MONITORING REPORT FOR THE LOCAL PLAN CAN ALSO BE A USEFUL SOURCE OF EVIDENCE AND INFORMATION

If you do decide a Neighbourhood Plan is the best tool for your area you should not enter into that decision lightly. Preparing a plan will require a lot of time and effort. Although how much time it will take will vary depending on the issues you want to cover and the size of your community. Developing a Neighbourhood Plan may take over 2 years. You will need to involve other people who may not agree with your views. It will require your community to reach a broad consensus on the objectives, key issues and desired outcomes.

So prepare yourself for what is going to be involved. There will no doubt be frustrations along the route, but the ultimate result could be very rewarding. A Neighbourhood Plan should help your community come together, be stronger and more united for having gone through the process. It should be a positive force for change and will give you more control over what happens in your neighbourhood.

A Neighbourhood Plan will require your community to reach a broad consensus on the key issues and desired outcomes ►



Deciding if you need a Neighbourhood Plan



◀ *Once adopted, policies from your Neighbourhood Plan will be taken into account when planning applications are determined*

How to prepare a Neighbourhood Plan



How to prepare a Neighbourhood Plan

How to prepare a Neighbourhood Plan

The preparation of a Neighbourhood Plan is meant to follow a simplified version of the process used to develop a Local Plan. The flow chart opposite gives an overview of the process and this document sets out steps for developing a Neighbourhood Plan. We recommend, however, any group considering undertaking the process also liaise with their local planning authority.

STEP 1: Getting started

Preparing a Neighbourhood Plan might seem daunting. If you follow the steps set out in this guidance, and keep in touch with your local planning authority, then the process should be quite straightforward and you should not go wrong.

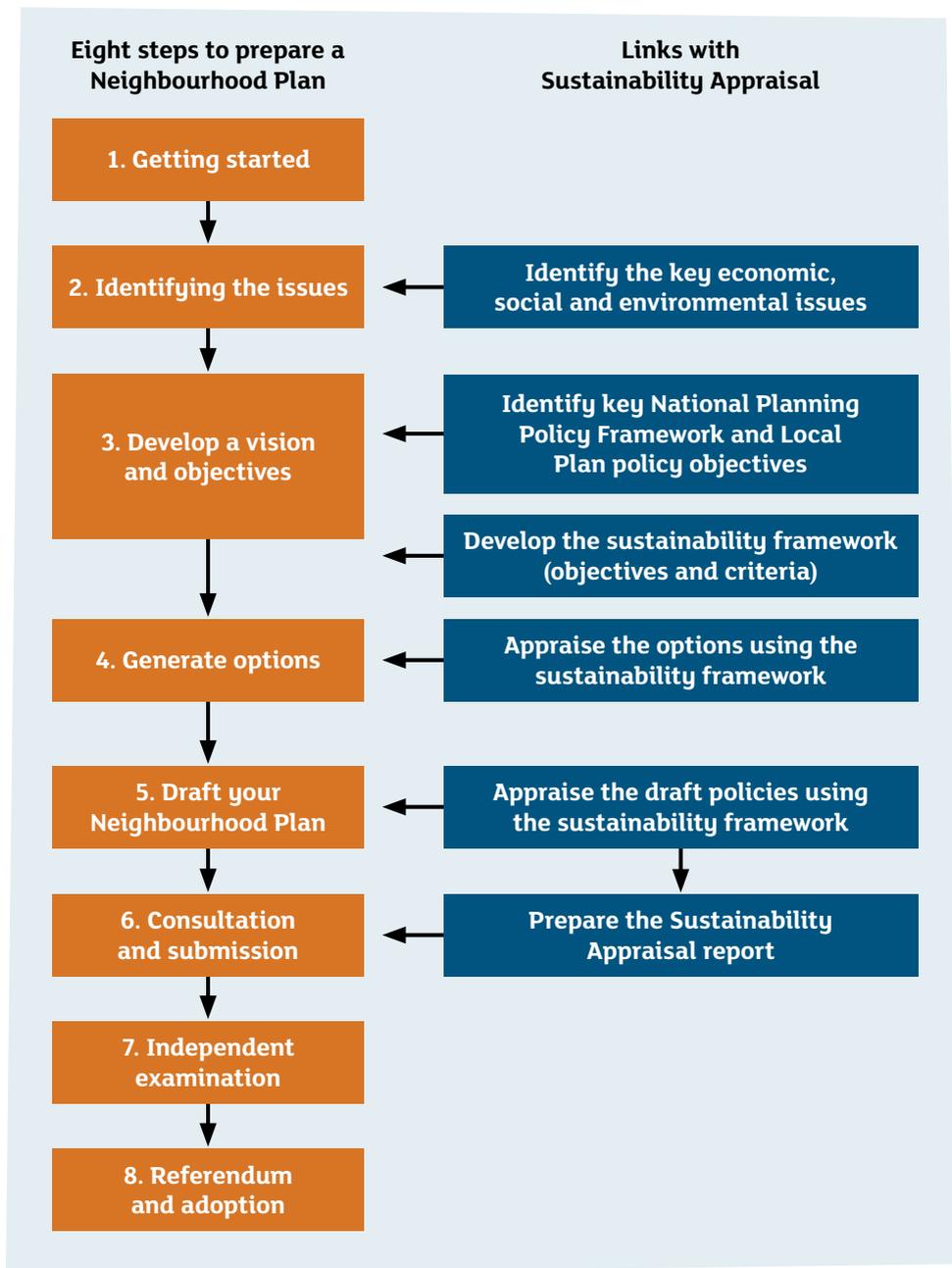
Look at national policy, the Local Plan, and the regulations

Before doing anything else, have a look at national planning policy. This is set out in the National Planning Policy Framework. This sets out the Government's overall approach to planning, which your Neighbourhood Plan must take into account.

Then read the Local Plan prepared, or being prepared, by your local planning authority. This will set out a vision and objectives for the whole of the district or local authority area. It will describe an overall strategy including how much and what sort of development should happen and in broad terms where this should take place. It will also include policies that set down what sort of development it will support, and what sort of development it will not support. It is likely to address a whole range of other relevant issues such as flood risk, nature conservation, and transport and access issues. It may even include policies that are specific to your own community.

You should then read the Neighborhood Planning Regulations. These set out the steps that you have to take so that your plan can be formally adopted.

How to prepare a Neighbourhood Plan



How to prepare a Neighbourhood Plan

Who should be involved?

Your parish or town council, or the neighbourhood forum, should lead the process. But you should seek to involve the wider community, including:

- residents (including those who you are aware have expressed a wish to live in the area);
- community organisations;
- businesses; and
- landowners.

Nobody should feel excluded. If your wider community is on board from the start, then it will be easier to achieve the support that is needed to adopt a Neighbourhood Plan at the referendum stage.

Top tip

Don't just contact those people who you know or who you think will agree with your views. Make sure that the whole community is aware of the intention to develop a Neighbourhood Plan. This might involve providing information in other languages and formats, to make sure that, for example, ethnic minority groups or those who are blind or partially sighted can be involved.

If you live or work in an area where there is no parish or town council, then a neighbourhood forum will need to be set up. This will require quite a lot of support and people willing to be members of the forum (a minimum of 21 members of the forum will be required). The Neighbourhood Planning Regulations lay out procedures that you need to follow to make sure the forum can be formally approved by your local planning authority. Your local planning authority will also need to agree the area that the forum represents (see p.24). If you would like to set up a forum, you should talk to your local planning authority who will be able to advise you on the best course of action. They will also be able to advise about what criteria your forum will need to meet to be eligible.

How to prepare a Neighbourhood Plan

Involving your wider community

People do not generally like having things imposed on them. So a Neighbourhood Plan must be a genuine community document. If you involve the wider community, including those who work in the area as well as residents, the greater the chances that your Neighbourhood Plan will gain support.

You will need to decide when and how to involve the wider community in your Neighbourhood Plan process. This may include organisations or individuals with a particular interest – businesses, community organisations and landowners. There are many ways of making people aware that you intend to prepare a Neighbourhood Plan, and involving them along the way, such as:

- meetings and events;
- leaflets and posters;
- workshops and questionnaires;
- website, email groups and social media (e.g. Facebook);
- notices in parish magazines or local newsletters; and
- the local press and radio stations.

Top tip

It is essential that the content of your Neighbourhood Plan represents the views of the wider community, not just those of the project group. In developing your plan there should be a two-way flow of information, backwards and forwards between the leading group and the wider community.

Don't forget that other organisations and the wider public are not just there to hear your ideas. There is usually a wealth of information and knowledge bound up in local communities that needs to be tapped into to inform your Neighbourhood Plan. The process for preparing a Neighbourhood Plan needs to be well thought out.

How to prepare a Neighbourhood Plan

You may find it helpful to set up a Neighbourhood Plan project group. If you decide to do this, try to ensure that the project group includes a wide range of views, skills, knowledge and experience. A good size for a project group would be between five and ten people. Their job will be to oversee the process and preparation of your Neighbourhood Plan. However, it's the parish or town council, or the neighbourhood forum, who is ultimately responsible for the Neighbourhood Plan.

Define your Neighbourhood Plan area

You will need to decide what area the Neighbourhood Plan should cover. If you are considering developing a neighbourhood forum you will need to think about what area you could legitimately represent. You should also note there can only be one Neighbourhood Plan covering any one area, so if your boundaries overlap with another Neighbourhood Plan area, you may need to change the boundaries you have defined.



◀ *You will need to decide what area the Neighbourhood Plan should cover*

How to prepare a Neighbourhood Plan

Although a parish or town council may want to include only the area it covers, the boundary of the Neighbourhood Plan area can be extended or reduced if this is justified and agreed with the adjoining parish or town council.

Once you have decided on your proposed neighbourhood area it will need to be formally approved by your local planning authority. They will undertake a formal consultation on this and consider any representations that might argue for different boundaries from those you have proposed.

In agreeing a Neighbourhood Plan area your local planning authority may also decide to designate it as a 'Business Area'. This will only be the case where the area is wholly or predominantly business in nature. This will make no difference to the process you go through to develop your Neighbourhood Plan but it will have an effect at the referendum. This is explained under **Step 8** on p.46.

Prepare a programme for your Neighbourhood Plan

One of the first tasks will be to prepare a programme of work to prepare the Neighbourhood Plan. This is likely to include:

- The tasks that need to be undertaken at each stage.
- What resources will be needed to undertake the tasks (people, venues, materials, funding, etc.).
- How much time each stage will take.

It would be useful to get advice on this from your local planning authority.

Top tip

Do not underestimate how much time it will take to organise public consultation events and material and to analyse the responses received. In developing your programme of work ensure adequate time is allowed for this.

How to prepare a Neighbourhood Plan

Sustainability Appraisal

The purpose of Sustainability Appraisal is to appraise the social, environmental and economic effects of a plan. In doing so it helps to ensure that decisions are made that contribute to achieving sustainable development.

Neighbourhood Plans will need to conform to EU legislation and so in some circumstances they may require a Sustainability Appraisal to be undertaken. Whether or not your plan requires a Sustainability Appraisal will depend on factors such as how the proposals in it might affect the environment, society or the economy, whether you are proposing a higher level of development than in your Local Plan and whether it will affect nature conservation sites of EU importance.

You should discuss with your local planning authority whether your Neighbourhood Plan needs a Sustainability Appraisal. If it is required it should be developed in parallel with your Neighbourhood Plan, and so you should build it into your work programme. Even if one is not required it can be a useful tool for 'testing' your plan to ensure that it is suitable for your community. Further basic information on undertaking a Sustainability Appraisal and how it relates to the steps set out in this document is set out on pp.49–52.

More detailed user-friendly guidance can also be found at www.levett-therivel.co.uk/DIYSA.pdf.

Top tip

The Local Plan will have been subject to Sustainability Appraisal. If you follow the same approach for your Neighbourhood Plan then this should ensure that you are doing what you need to do.

How to prepare a Neighbourhood Plan

STEP 2: Identifying the issues to address in your Neighbourhood Plan

You are likely to want to prepare a Neighbourhood Plan because you want things in your community to change for the better. Even in neighbourhoods that have a high quality of life there are always improvements that can be made.

It's therefore important to identify what the issues are that you want your Neighbourhood Plan to address. If you don't already have a Parish Plan or Village Appraisal, a good way to start is to describe:

- The strengths and positive features of your neighbourhood – things that people value and would like to keep.
- The negative features of your neighbourhood – things that people don't like and would like to get rid of or improve.
- Those things that your neighbourhood doesn't have which it would like.

In preparing a Neighbourhood Plan, identify the strengths and positive features of your neighbourhood ►



How to prepare a Neighbourhood Plan

You may feel that your parish or town council, or the neighbourhood forum, has a good sense for what the issues are without the need to consult the wider community. Although there is no requirement to consult your community at this stage you will have to demonstrate how you have consulted the community and how they have participated when you submit your proposed Neighbourhood Plan.

In any event, it will be helpful to gain the views of local people on the issues. You could do this by holding an event where they can express their opinions, by going on a walking tour of the neighbourhood taking notes as things are pointed out, or by asking people to complete a questionnaire, or submit their thoughts by some other means. It may be useful to take or ask for photos to be submitted to illustrate the issues concerned. Marking the issues on a map can help to show where there are particular problem 'hot spots' or areas of opportunity.



YOU MAY HAVE A VILLAGE DESIGN STATEMENT OR CONSERVATION AREA APPRAISAL WHICH DESCRIBES THE CHARACTER OF YOUR VILLAGE, OR A PARTICULAR PART OF IT, IN DETAIL

Top tip

When gathering views on issues, ask people to try and be as specific as possible, giving examples of what they mean. Using techniques such as those demonstrated by the community planning tool Planning for Real (www.planningforreal.org.uk) can help to bring issues 'alive' for local people, although these may incur a cost.

The Sustainable Community Strategy for your area will identify some of the big issues for the council's area as a whole, and may be a useful source of background information. In addition, the local planning authority may have undertaken technical work that will be useful to your Neighbourhood Plan, such as studies of flood risk, housing need and potential development sites (these will usually be on the local planning authority's website – if not, ask a planning officer).

You will need to decide which of the issues your Neighbourhood Plan can address, and which are outside the scope of a

How to prepare a Neighbourhood Plan

Neighbourhood Plan. For example, a Neighbourhood Plan cannot address the frequency of dustbin collections, or where people get their energy supplies from. But they can identify land to be used for community recycling facilities, where renewable energy generation should be encouraged, or where school buildings should be expanded.

Remember that your Neighbourhood Plan will have to generally conform with the strategic policies in the Local Plan. You will therefore need to check the Local Plan and identify those parts that are relevant to your Neighbourhood Plan. This may include, for example, policies on the amount and type of housing and employment land to be developed, which neighbourhoods have been identified as retail or service centres and earmarked for growth, and policies about open space, nature conservation and the environment.

Decide what policies from the Local Plan are relevant and what they mean for your Neighbourhood Plan. See if there is anything that has been picked up in your assessment of the issues that is not mentioned in the Local Plan, or that could potentially conflict with the policies in the Local Plan.

STEP 3: Develop a vision and objectives

There is no requirement to develop a vision or objectives, but you may find it useful to have one or the other, or both, to help guide the preparation of your Neighbourhood Plan. A vision and objectives can help to make it clear what your Neighbourhood Plan is aiming to achieve.

Vision

A good vision does not have to be very long but will:

- Be long term, for example looking forward 15–20 years, or the period that is covered by the Local Plan.
- Be strategic, setting out a broad picture of your aspirations for your neighbourhood but will not include lots of details.

How to prepare a Neighbourhood Plan

- Describe what you want your neighbourhood to look like, so people can form an image of the homes, businesses, shops, community facilities and open space it will contain.
- Consider what land use and development challenges will need to be addressed over the period covered by your Neighbourhood Plan.

Objectives

Objectives are more specific and set out what the Neighbourhood Plan aims to achieve. If you have a vision, look at each part of the vision and decide what needs to be done to achieve it.



◀ *When developing a vision, set out your aspirations for your neighbourhood*

How to prepare a Neighbourhood Plan

Examples of objectives

- (1) To develop a vibrant and prosperous neighbourhood by encouraging development that supports a range of good quality jobs, businesses, shops and services that meet the needs of local people and protects and enhances the quality of the local environment.
- (2) To provide new and diverse leisure and recreational activities in order to promote healthy and crime-free lifestyles, particularly for youngsters.

You may find it useful to consult your local community on the draft vision and objectives in order to find out if everybody agrees with them, whether there is anything crucial missing, or whether they can be improved in any way.

If you are undertaking a Sustainability Appraisal, Government guidance suggests that it should be underpinned by a series of sustainability objectives and criteria, sometimes referred as the 'sustainability framework'. Further information on this is set out on p.50.

Neighbourhood Plan objectives can include the provision of new and diverse leisure and recreational activities ►



How to prepare a Neighbourhood Plan

STEP 4: Generating options for your draft Neighbourhood Plan

It can be tempting to launch straight into preparing your draft Neighbourhood Plan. And you may think you already know what needs to happen. However, there are often choices to be made.

If your local planning authority has advised you that your Neighbourhood Plan requires a Sustainability Appraisal, you will need to consider different options to include in the plan (also known as ‘reasonable alternatives’ in a Sustainability Appraisal). Even if your Neighbourhood Plan does not require Sustainability Appraisal, the consideration of different options can help you decide what works well and what doesn’t, and to gather people’s views on which option they would prefer to see happen.

Types of option

Options can be generated from ideas developed by the parish or town council, by the neighbourhood forum, or from other consultation exercises that you may have held involving the wider community. If you have developed a vision and/or objectives, you may wish to see which options are most likely to achieve them.

The sort of options you want to consider could vary depending upon the type of Neighbourhood Plan that you are preparing, for example whether it is general and broad-brush, or narrow and detailed. Examples of types of options include:

- The scale, type, mix and location of development (e.g. if a need for affordable housing has been identified – where might it be located, how many houses or flats are needed, and should the scheme also include market housing, the provision of community facilities, space for businesses, and open space for recreation, play areas and wildlife).
- Alternative ways of using land that the local community has identified as being appropriate for development or other uses such as open space, tree planting or environmental improvement.



TWO RURAL PARISHES IN NORTHUMBERLAND PROPOSE MORE AFFORDABLE HOUSING, A NEW HIGH SCHOOL AND EDUCATION CAMPUS IN THEIR NEIGHBOURHOOD PLAN

How to prepare a Neighbourhood Plan

- Different 'conditions' that might be applied to development, such as how development should look (its design), how transport issues should be incorporated, or what standards to include with respect to issues such as renewable energy, landscaping and the inclusion of waste and recycling facilities.

Top tip

When considering options it is recommended that you include a 'do nothing' option (also known as 'business as usual'). This being what would happen to the plan area and sites in question if a Neighbourhood Plan were not to be prepared (e.g. by relying on Local Plan policies).

A new children's play area could be an option to include within your Neighbourhood Plan ►



How to prepare a Neighbourhood Plan

You may need to generate a series of options for dealing with different issues. The number of options that you will generate is likely to be influenced by the intended scope of your Neighbourhood Plan:

- If your Neighbourhood Plan is dealing with a single site, then there may be just two or three options you feel you need to consider for that site.
- If the Neighbourhood Plan covers a large area, and aims to address the whole of the neighbourhood in a comprehensive way, there may be a number of options, grouped around issues and topics.

When considering options, it's important that they are realistic and achievable. If you have aspirations for a new children's play area, for example, how might this be delivered and who would pay for it? If you believe there is a need for more affordable housing in your community, is there a housing association or a key landowner that you could have initial discussions with to help identify appropriate sites?

In developing your options it is advisable that you check them against the strategy and policies in the Local Plan to ensure that there are no major conflicts. It may also be sensible to ask the local planning authority if your options are reasonable, and also to check whether there are any issues in the technical work that they have carried out in connection with the Local Plan that ought to be taken into account. This might include, for example, a survey of local housing need.

Test the options

If you are undertaking a Sustainability Appraisal it can play an important role in helping to test your options. See pp.49–52 of this guide for further information.

Having defined your options, you may find it helpful to consult on the findings to help inform your final choice. At a minimum, the options you have identified should be considered by the parish or town council, or by the full neighbourhood forum.



**THE COMMUNITY
INFRASTRUCTURE
LEVY MAY HELP FUND
PROJECTS IN YOUR
NEIGHBOURHOOD PLAN
– TALK TO YOUR LOCAL
PLANS TEAM TO FIND
OUT MORE**

How to prepare a Neighbourhood Plan

Top tip

Questions you might ask when testing your options include:

- Have we identified the right options?
- Are there any options that we should have thought of that are missing?
- Which option(s) do you prefer and why?

This will help to reinforce the sense of involvement and ownership in the final Neighbourhood Plan. The local planning authority may be able to provide officers to help facilitate this process.

STEP 5: Preparing your draft Neighbourhood Plan

You will already have described the issues and problems that your Neighbourhood Plan is aiming to address and you may have agreed the vision and/or objectives for your Neighbourhood Plan. It's recommended that these form the 'upfront' sections of your draft Neighbourhood Plan.

You now need to decide the detail to include in your draft Neighbourhood Plan. This would normally be the **options that have the most support**, and perform best against the sustainability objectives and criteria if you have carried out a Sustainability Appraisal, unless there is good reason to choose another option (e.g. there may be a piece of land that would be ideal for development of a community centre, but the landowner is unwilling to use the land for that purpose).

If you are undertaking a Sustainability Appraisal as part of preparing your Neighbourhood Plan, **the 'effects' of the policies** and proposals in your draft Neighbourhood Plan should be **appraised** against sustainability objectives and criteria. See pp.49–52 of this guide for further information.

If your Neighbourhood Plan area includes or is close to a wildlife site that has been designated as being of international importance – known as Special Areas of Conservation (SACs),

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Special Protection Areas (SPAs) or Ramsar sites – your Neighbourhood Plan may need to be subject to Habitats Regulations Assessment, sometimes known as Appropriate Assessment (see box below).

Habitats Regulations Assessment (Appropriate Assessment)

The purpose of Habitats Regulations Assessment is to ensure that a plan will not result in significant damage to designated wildlife sites. You can find out whether this will apply to you by asking your local planning authority, or the Government's statutory adviser on nature conservation – Natural England. If it's decided that a Habitats Regulations Assessment is required, then it is recommended that you ask your local planning authority for advice and assistance, since this requires technical skills that most parish or town councils, or neighbourhood forums, are unlikely to have.



◀ *Depending on where you live, your Neighbourhood Plan may need to be subject to Habitats Regulations Assessment*

How to prepare a Neighbourhood Plan

Drafting policies

If you look at your Local Plan, you will see what is meant by policies. Policies set out the key details of what you want to happen. Policies can be quite short (a few sentences) or quite long (but generally no longer than one page).

It is useful to include more detailed explanation in ‘supporting text’ to the policy to justify the policy and to put the ‘meat on the bones’ on what it is that your Neighbourhood Plan is really trying to achieve.

Types of policy

There are different ways of writing policies. It’s recommended that the policies set down the key components of development or use of land that your Neighbourhood Plan will support, and the criteria that will be used to decide whether a proposal is likely to be acceptable or not. Some policies might be ‘actions’ – things that you want to happen, such as the development of housing or community facilities. Other policies might be a set of ‘criteria’, describing what development should look like, and the issues development will need to take into account if it’s to be granted planning permission.

Possible types of policy include those which:

- Allocate specific sites for development, setting out what the development should comprise (e.g. if you want housing to happen on a particular site, you may wish to ensure that the housing type is targeted at first-time buyers, or elderly people) and information about design (e.g. to ensure that it fits with local building styles and character, sometimes known as ‘the local vernacular’).
- Set out specific requirements for a piece of land, for example in relation to access, landscaping, play areas.
- Specify which locations will be protected from development, such as open space, nature reserves, allotments, historic assets, gardens.

How to prepare a Neighbourhood Plan

- Seek to protect certain community buildings and land uses from changes of use, such as pubs and village shops.
- Are area based, for example setting out areas (and boundaries) that will be reserved for certain uses, such as shopping areas.
- Are general in nature, and will apply to all development proposals in your Neighbourhood Plan area, such as the maximum height of buildings, or the use of renewable energy.



◀ *The policies should set down the key components of development that your Neighbourhood Plan will support*

How to prepare a Neighbourhood Plan

Top tip

Check each policy against the agreed vision and objectives of your Neighbourhood Plan to ensure that they will help achieve the aspirations of the Plan and do not create any conflicts with any other policies. Also make sure that nothing important is missing in terms of addressing the vision and all the objectives in your plan.

Proposals map

It is recommended that your draft Neighbourhood Plan includes a **'proposals map'**. A proposals map shows which areas of land have been allocated for which uses (these should be linked to policies in your Neighbourhood Plan), including those areas that are to receive protection from development (again linked to policies in your Neighbourhood Plan). If your Neighbourhood Plan is dealing with a single site, then the proposals map may show in broad terms which parts of the site should be used for different uses, including access and open space. Again, your local planning authority should be able to help you with this.

Making it happen

Before completing your Neighbourhood Plan, it is recommended that you carefully check it to make sure that what you are proposing stands a realistic chance of actually happening. You may find it useful to add a section on **'implementation'** or prepare a separate implementation plan.

The implementation section sets out what actions are required to turn your Neighbourhood Plan into reality on the ground. For each policy, this should describe the linked actions, who is responsible for undertaking action, the priority the action should be given (e.g. high, medium, low), the timetable for the action, and the source of any funding to enable the action to happen.

You might find it useful to include targets and indicators to measure whether or not the policy is being achieved once your Neighbourhood Plan is adopted (monitoring is also a requirement of Sustainability Appraisal).



USE YOUR IMPLEMENTATION PLAN, TARGETS OR INDICATORS TO HELP MONITOR PROGRESS TOWARDS YOUR NEIGHBOURHOOD PLAN OBJECTIVES

How to prepare a Neighbourhood Plan



◀ *Check your Neighbourhood Plan to ensure that what you propose is realistic*

Top tip

It will be important to ensure that you 'sign up' all those organisations and individuals for whom an action has been identified in the implementation section otherwise your Neighbourhood Plan may face problems being turned into reality.

STEP 6: Consultation and submission

Consultation on your draft Neighbourhood Plan

Once your draft Neighbourhood Plan has been prepared a formal consultation with your community, lasting at least 6 weeks, is required. If you have prepared a Sustainability Appraisal report this will also need to be consulted upon at the same time.

How to prepare a Neighbourhood Plan

Top tip

Before going out to consultation, you may find it helpful to check with your local planning authority that all the documents and the consultation process are in order.

Some bodies must be consulted on your draft Neighbourhood Plan if it proposes development that could affect their interests. If they were required the consultees may also need to review your Sustainability Appraisal and Habitats Regulations Assessment. These are known as **statutory consultees**, and include:

- the county council (where one exists);
- the Environment Agency;
- English Heritage; and
- Natural England.

Your local planning authority should be able to provide you with a full list of statutory consultees.

It is recommended that the following bodies are also formally consulted, again not just on the draft Neighbourhood Plan but where appropriate also on your Sustainability Appraisal and Habitats Regulations Assessment where relevant:

- neighbouring local authorities, parish and town councils; and
- landowners and community organisations that will be affected by your Neighbourhood Plan.

You will also need to consult the wider public. This could be done through a variety of means, including written consultations, events, meetings and so on. The consultation process will need to be carefully designed with clear questions asked, and with people given easy-to-understand instructions to identify which parts of the draft Neighbourhood Plan or the accompanying documents they are commenting upon. Your local planning authority may be able to advise on how best to go about this.



**SHERATON'S (WILTSHIRE)
NEIGHBOURHOOD
PLAN INCLUDES
AFFORDABLE HOMES
FOR THE ELDERLY
AND DISABLED,
A COMMUNITY
ORCHARD, HIGH-SPEED
BROADBAND AND
NEW SCHOOLS**

How to prepare a Neighbourhood Plan

In submitting your proposed Neighbourhood Plan you will need to include information on how you consulted the wider public, what responses you received and how you took any comments on board in revising the draft. You may, therefore, find it useful to prepare a '**consultation comments schedule**' which sets out who the comment is from, what part of the Neighbourhood Plan (or supporting documents) the comment refers to, and your response to the comment made (e.g. changes that will be made to your Neighbourhood Plan).

Submitting your proposed Neighbourhood Plan

Once the consultation comments have been analysed, and appropriate changes made to your draft Neighbourhood Plan (and to the Sustainability Appraisal and Habitats Regulations Assessment if required) you will be ready to submit your final version of your proposed Neighbourhood Plan to your local planning authority. This will need to be accompanied by:

- A plan or statement showing the area covered by your Neighbourhood Plan.
- A written statement explaining how your Neighbourhood Plan meets relevant legal requirements (ask your local planning authority for advice on what these are).
- A '**consultation statement**' that contains details of who was consulted on the draft Neighbourhood Plan, how they were consulted, the main issues and concerns raised, and how these have been addressed in your Neighbourhood Plan.

Your local planning authority will carry out a final check to ensure that your Neighbourhood Plan and all accompanying documents comply with legal requirements. Once your local planning authority is satisfied that everything is in order, they will formally publicise for a minimum of 6 weeks that you have submitted a proposed Neighbourhood Plan. At this point those who live, work or carry on business in the area covered by your Neighbourhood Plan can submit further comments to the local planning authority who will pass them on to the person undertaking the independent examination.



**THAME'S (OXFORDSHIRE)
NEIGHBOURHOOD
PLAN FOCUSES
ON AFFORDABLE
HOUSING, TRANSPORT
INFRASTRUCTURE,
OPEN SPACES AND
PROTECTING ITS
CULTURAL HERITAGE**

How to prepare a Neighbourhood Plan

Certain bodies must be consulted on your draft Neighbourhood Plan if it proposes development that could affect their interests ►



STEP 7: Independent examination

Examination process

Your local planning authority will arrange for the independent examination of your Neighbourhood Plan.

The examiner is appointed by your local planning authority but the person can only be appointed with the agreement of the body responsible for preparing the Neighbourhood Plan. The arrangements for the examination will be decided by the examiner in consultation with your local planning authority and your parish or town council, or neighbourhood forum, whichever is relevant. The main purpose of the examination is to ensure that your Neighbourhood Plan:

- Meets European obligations.
- Has regard to national planning policies.
- Is in general conformity with the strategic policies of the Local Plan.

How to prepare a Neighbourhood Plan

- Is compatible with adjoining Neighbourhood Plans.
- Contributes to the achievement of sustainable development.

It's likely that the examiner will wish to consider written representations (comments objecting to or supporting your Neighbourhood Plan) rather than hearing comments in person, but a public hearing may be called if the examiner feels this is required.



◀ *In submitting your proposed Neighbourhood Plan you will need to include information on how you consulted the wider public*

How to prepare a Neighbourhood Plan

Top tip

If a public hearing is held and you intend to speak you may need to prepare yourself to answer questions about your Neighbourhood Plan. You may be asked about the process (how it was prepared including the role of consultation and, if relevant, Sustainability Appraisal) and the content (e.g. to provide evidence or justification for a particular policy approach).

The examiner's report

Once the examination is over, the examiner will issue a report that is likely to include one of the following recommendations:

- That your draft Neighbourhood Plan should proceed to a referendum.
- That your draft Neighbourhood Plan should proceed to a referendum, subject to certain amendments.
- That your draft Neighbourhood Plan should not proceed.

If the recommendation is that the Neighbourhood Plan should not proceed to a referendum the reasons for this should be explained. The community will then need to consider whether, and if so how, they can address these concerns. If they feel the changes that would need to be made are acceptable they can look to submit the revised version for further examination in the future.

If the recommendation is that the plan should proceed to a referendum the examiner may give advice on the communities to be covered by the referendum (which could go beyond the area covered by your Neighbourhood Plan). This may be, for example, because your Neighbourhood Plan proposes a site for development near to the boundary of your neighbourhood area and so the examiner wishes to extend voting rights to residents the other side of the boundary.

Your local planning authority will consider the examiner's report, decide whether the recommendations should be followed, and will then publish its decision, notifying those who prepared and submitted the Neighbourhood Plan.

How to prepare a Neighbourhood Plan



◀ *One of the examiner's recommendations could be that your draft Neighbourhood Plan should proceed to a referendum*

STEP 8: Referendum and adoption

Referendum

Assuming that the examiner recommends that your draft Neighbourhood Plan can proceed then your local planning authority will organise and pay for a referendum.

The rules for the referendum are set out in the Neighbourhood Planning (Referendums) Regulations. The question that the referendum has to ask is:

“Do you want [insert name of local planning authority] to use the neighbourhood plan for [insert name of neighbourhood plan area] to help it decide planning applications in the neighbourhood area?”

How to prepare a Neighbourhood Plan

Anybody registered to vote in the area covered by your Neighbourhood Plan will be entitled to vote. A simple majority of votes (over 50% of those voting) in favour of your Neighbourhood Plan is sufficient for it to succeed.

The only exception is in Business Areas where two separate referenda will be held in parallel. The first will be for residents and a second referendum will be held for businesses (or more specifically non-domestic rate payers). Each business will have one vote. In this instance the outcome of the business and residents' referenda will be considered separately. If both are in favour of the Neighbourhood Plan it will be adopted. If both reject the Neighbourhood Plan it won't be adopted. Where the two outcomes conflict with each other the decision about whether or not to adopt the Neighbourhood Plan will rest with the local planning authority.

Adoption

Assuming a simple majority is achieved, your local planning authority will adopt your Neighbourhood Plan as part of the development plan. This may include policies in your Neighbourhood Plan taking precedence over policies in the Local Plan, where they apply to the specific area covered by your Neighbourhood Plan.

The local planning authority will publish the Neighbourhood Plan on its website and tell those who commented on the proposed Neighbourhood Plan. A hard copy may also be made available in the public library.

Implementation and monitoring

Once your Neighbourhood Plan has been adopted, planning applications will still be determined by the local planning authority in the normal way, but taking into account policies in your Neighbourhood Plan as well as the Local Plan.

Development granted permission by an adopted Neighbourhood Development Order or a Community Right to Build Order may be



**IF MORE THAN 50%
OF PEOPLE VOTING IN
A LOCAL REFERENDUM
SUPPORT THE
NEIGHBOURHOOD PLAN,
IT WILL BE ADOPTED**

How to prepare a Neighbourhood Plan

implemented. The developer will have to submit their proposals to the appropriate local authority or parish council, however, who will make sure that they are in line with the permission granted by the Neighbourhood Development Order.

You may wish to monitor progress against your Neighbourhood Plan. This will help to ensure that momentum is not lost, and that the aspirations of the community are met. You may want to review your Neighbourhood Plan to keep it up-to-date and relevant.



◀ *Policies in your Neighbourhood Plan may take precedence over policies in the Local Plan*

Further information on Sustainability Appraisal



Further information on Sustainability Appraisal

Further information on Sustainability Appraisal

The vision and objectives for your Neighbourhood Plan (Step 3) should be informed by your Sustainability Appraisal. Government guidance suggests that a Sustainability Appraisal should be underpinned by a series of sustainability objectives and criteria, sometimes referred to as the 'sustainability framework'. These are derived from an analysis of the social, economic and environmental issues and problems facing a plan area, taking into account international, national, regional and local policy objectives.

The sustainability framework provides a systematic way of appraising the draft plan, and reasonable alternatives to the draft plan. If in doubt, you can use the sustainability framework for the Local Plan as the starting point for developing your own sustainability framework. Your local planning authority can provide advice on this.

The sustainability framework can be used to appraise each of the options (as part of Step 4). This is achieved by deciding how each option is likely to perform against each of the sustainability objectives and criteria. It is common practice to use symbols, such as ticks (✓) and crosses (✗) to show whether the option would have a positive or a negative effect on each sustainability objective included in the sustainability framework. The greater the effect, the more ticks or crosses you could include.

For example, if you think that an option that delivers 30 new affordable homes will meet all the housing need in your community, you may decide to give it three ticks (✓✓✓) against the sustainability objective 'to meet the housing need of the neighbourhood'. If, on the other hand, one of the options for locating the affordable housing would mean losing a small amount of green space, you may wish to give it a single cross (✗) against the sustainability objective 'to protect open space and wildlife'.

Further information on Sustainability Appraisal

If there is likely to be no effect of an option against a sustainability objective, it's OK to leave the appraisal blank (or include a zero '0' to show that you have thought about it but decided there would be no effect). If you are not sure whether the effect would be positive or negative, include a question mark '?'. It is helpful to include a short commentary for each option to describe how you came to your 'scores', and also to draw conclusions about which of the options performs best against the sustainability objectives and criteria.

The 'effects' of the policies and proposals with respect to each sustainability objective should be set out and considered under Step 5 (preparing your draft Neighbourhood Plan). If it's found that there are not many positive effects, or that there are negative effects against a sustainability objective, you should see if there are any improvements that can be made to the policies to make them perform better.

The results of the Sustainability Appraisal should be pulled together into a separate Sustainability Appraisal report, which should describe the effects of your draft Neighbourhood Plan and the options previously covered.

There are certain legal requirements on the information to be included in a Sustainability Appraisal report. It's recommended that you contact the local planning authority to ensure that your Sustainability Appraisal report has been prepared correctly.

A Sustainability Appraisal is underpinned by an analysis of the social, economic and environmental issues facing a plan area ►



Further information on Sustainability Appraisal



Glossary

Affordable housing

Affordable housing is not available on the open market. It is available as social rented, affordable rented or as shared ownership housing, and is managed by a Registered Social Landlord, who may be the local authority.

Brownfield/previously developed land

Previously developed land, often called brownfield land, is land that was developed but is now vacant or derelict, and land currently in use with known potential for redevelopment.

Community Infrastructure Levy

The Community Infrastructure Levy is a charge which accompanies planning applications for built development. Many local planning authorities are currently consulting on their scale of charges. The money is pooled to fund infrastructure.

Community Right to Build

The Community Right to Build allows a local community group to bring forward a small development for one or more purposes, such as new homes, businesses and community facilities, but it must be small scale in comparison to the size of settlement.

Consultation statement

A document that needs to be submitted to the local planning authority with a draft Neighbourhood Plan. It should set

out details of who was consulted on the draft Neighbourhood Plan, how they were consulted, the main issues and concerns raised, and how these have been addressed in your Neighbourhood Plan.

County council

The upper tier of the two- or three-tier county shire local authority structure in England. County council responsibilities include transport, schools and minerals and waste planning.

Development plan

A development plan sets out the policies and proposals for the development, conservation and use of land and buildings in a particular local planning authority area. The development plan is the most important consideration for local planning authorities when they decide on a planning application.

The development plan generally includes Development Plan Documents (DPDs) that are part of a local planning authority's Local Plan. This includes waste and minerals documents prepared by county councils. The Localism Act 2011 made two key changes to the development plan. First, the Regional Strategies that have been part of it since 2004 will be abolished. Secondly, Neighbourhood Plans that have been prepared covering any part of the local planning authority area will become part of the development plan if they've received enough support in a referendum.

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Development Plan Document

Development Plan Documents (DPDs) are plans and strategies written by a local planning authority that form part of the Local Plan. They form part of the formal development plan, so planning decisions must be taken in line with them unless material considerations indicate otherwise.

Because DPDs form part of the formal development plan there are strict rules about the level of public consultation that must happen when putting them together. They must also undergo Sustainability Appraisal before adoption by the relevant council.

District council

The lower tier, or where parish or town councils exist, middle tier, of the two- or three-tier county shire local authority structure in England. District council responsibilities include planning, waste collection and provision of leisure facilities.

Government planning policy

Government planning policy is contained in the National Planning Policy Framework (NPPF). Local planning authorities should take the NPPF into account when drawing up development plans and other documents and making decisions on planning applications, as should bodies preparing Neighbourhood Plans. The NPPF was introduced in Spring 2012 and replaced documents called Planning Policy Statements and Planning Policy Guidance Notes which previously contained Government planning policy.

Green Belt

Green Belt is a defined area of countryside around a town or city which is protected from 'inappropriate' forms of development – as defined in government planning policy on Green Belts. There are Green Belts throughout the country, but not in every county. Green Belts aim to stop urban sprawl and the merging of settlements, preserve the character of historic towns and encourage development to take place within existing built-up areas. Quality or appearance of land is not a factor when deciding whether to designate it as a Green Belt.

Greenfield site

Land not previously used for development.

Habitats Regulations Assessment

A Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on international protected sites for nature conservation. These sites are Special Protection Areas (SPAs) for birds identified under the Birds Directive and Special Areas of Conservation (SACs) for habitats and species under the Habitats Directive. Ramsar sites (wetlands of international importance designated under the Ramsar Convention) are also considered under the assessment, as are candidate SACs and proposed SPAs.

The purpose of Habitats Regulations Assessment is to ensure that plans will not result in significant damage to protected wildlife sites. The assessment considers

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the impacts of a land use plan against conservation objectives of the site and identifies whether it would adversely affect the integrity of the site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects.

Highway authority

Highway authorities are responsible for producing the local transport plan and for managing existing or proposed new local roads in the area. In most places, the local highway authority is part of the county council, the metropolitan council or the unitary authority. Transport for London is the highway authority for London.

Land use planning

The planning system largely provides the framework for how land is used and developed. The system aims to make



sure land is used in the public interest. It also makes sure that facilities like roads, schools and sewers are built where they are needed.

Local authority

An umbrella term for the administrative body that governs local services such as education, housing and social services. There are three main types of local authority structure in England:

1. Two- or three-tier 'shire' counties consist of a county council, under which sits a number of district councils, in turn under which in many cases sit parish or town councils. Local public services are divided between the tiers.
2. Unitary authorities and metropolitan boroughs are governed by one authority responsible for most major services. Many unitary authorities are two-tier authorities however, with parish and town councils in place.
3. There's a two-tier local authority structure in London, with 32 London boroughs sitting beneath the Greater London Authority. Although it is legally possible to establish a parish council in London, at the time of writing none exist.

Local Development Scheme

This sets out the documents that will make up the Local Plan, their subject matter, the area they will cover, and the timetable for their preparation and revision. Local planning authorities must prepare and maintain the Local

Glossary

Development Scheme, and publish up-to-date information on their progress.

Local Plan

A portfolio or folder of documents setting out the planning strategy for a local planning authority area. Since the Planning and Compulsory Purchase Act 2004 and until recently, this type of plan was known as a Local Development Framework. The Government now uses the simpler description 'Local Plan'. The Planning and Compulsory Purchase Act 2004 replaced old-style local plans, structure plans and unitary development plans. The key difference between the pre- and post-2004 systems is that new-style local plans are really a 'folder' of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs), each addressing different issues. This is in contrast to the old-style plans which consisted of one Development Plan Document, supported by supplementary guidance.

The Local Plan identifies where future development should take place to meet local needs for homes, businesses, shops and other services, plus the infrastructure to support them. It also decides which areas should be protected from development because they are important to local people or have environmental or heritage qualities that should be conserved.

Local planning authority

The local government body responsible for formulating planning policies, controlling

development and determining planning applications. This could be a district council, unitary authority, metropolitan council or National Park Authority. When development involves minerals or waste, the county council or unitary authority is normally the local planning authority, and is referred to also as the minerals planning authority or the waste planning authority.

Localism Act 2011

A major piece of new legislation, which includes wide-ranging changes to local government, housing and planning. Significantly, the Act abolishes regional planning, and introduces the possibility of Neighbourhood Plans as part of the development plan.

Material consideration

A factor which will be taken into account when reaching a decision on a planning application or appeal. Under section 38 of the Planning and Compulsory Purchase Act 2004, decisions on planning applications 'must be made in accordance with the [development] plan unless other material considerations indicate otherwise'. The courts ultimately decide what constitutes a material consideration. However, case law gives local planning authorities a great deal of leeway to decide what considerations are relevant, and how much weight should be given to them, each time they decide on a planning application. In practice, government planning policy is often the most important

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material consideration, other than the development plan. Government policy may override the development plan if it has been consulted on and published more recently.

Metropolitan authority

Metropolitan authorities are essentially the same as unitary authorities. They provide a one-tier, or where parish or town councils exist two-tier, structure of local authority in England. The responsibilities of metropolitan authorities include education, planning, waste disposal and social services.

Neighbourhood Development Orders

Neighbourhood Development Orders can be developed by communities and grant planning permission without the need to submit a planning application to the local planning authority. They have to go through a similar process to Neighbourhood Development Plans before being adopted.

Neighbourhood planning

This is a general term to cover both Neighbourhood Development Orders and Neighbourhood Development Plans (Neighbourhood Plans), which were introduced by the Localism Act 2011. Communities can now prepare neighbourhood planning documents, outlining how they envisage their area developing in the future.

Neighbourhood Planning (General) Regulations 2012

The Neighbourhood Planning Regulations outline in more detail than the Localism Act 2011 the steps that need to be taken by a community preparing a neighbourhood plan.

Neighbourhood Planning (Referendums) Regulations 2012

These regulations provide detail on the Neighbourhood Planning referendum process and outline who is responsible for each stage of the referendum. They also set a clear framework for how the referendum should happen.

Parish or town council

Parish and town councils are the tier of governance closest to the community. Around 30% of England's population is governed by a parish council, predominantly in rural areas. Some urban areas, and notably Milton Keynes, are also parished. Parish and town councils are elected bodies and have powers to raise taxes. Their responsibilities vary, but can include provision of parks and allotments, maintenance of village halls, litter control and maintenance of local landmarks.

Planning and Compulsory Purchase Act 2004

The Planning and Compulsory Purchase Act 2004 was a major piece of planning legislation, which amended much of the Town and Country Planning Act 1990.

Glossary

In particular, the 2004 Act made significant changes to the system of development plans and introduced ‘sustainable development’ as an objective of the planning system.

Regional Spatial Strategy or Regional Strategy

Regional Spatial Strategies were introduced by the Planning and Compulsory Purchase Act 2004, and until the Localism Act 2011 put steps in place to abolish them formed part of the development plan. The Local Democracy, Economic Development and Construction Act 2009 combined Regional Spatial Strategies and Regional Economic Strategies to create Regional Strategies. Regional Strategies address planning issues that cross over local planning authority boundaries, for example energy provision, longer distance transport, and protection of the natural environment at a larger than local scale. At the time of writing the Secretary of State is taking action to formally abolish these strategies and remove their influence from the planning system.

Secretary of State

The Secretary of State is the most senior government minister responsible for the work of his or her department. The government department responsible for planning is the Department for Communities and Local Government.

Spatial planning

Spatial planning is also called ‘place shaping’ and has a wider focus than traditional land use planning. It’s about identifying a vision for the future of a place which responds to local needs and circumstances, including community views, and is based on evidence. This vision is translated into priorities, policies and the identification of land for development. Spatial planning creates a framework for private investment and regeneration. By agreeing a delivery plan, it seeks to co-ordinate and deliver public-sector parts of the plan with other agencies. Spatial planning should set a positive framework for action on climate change, and contribute to sustainable development.

Spatial strategy

The spatial strategy identifies what and how much development is needed to meet local needs, and broadly where it should be concentrated.

Statement of Community Involvement

Statements of Community Involvement set out how the local planning authority will engage local communities in plan making: who they will engage and how. In particular, they list the community groups and other organisations which will be contacted about Local Plan stages, and the methods of consultation which will be used. Hard-to-reach groups are identified, and methods of helping them get involved set out.

Glossary

Statutory consultee

A statutory consultee is a body the local planning authority must consult if a planning application could affect their interests. For example, the Highways Agency must be consulted on applications that could affect a major road, and the Environment Agency must be consulted on development that would affect a river or culvert.

Strategic policies

These are the policies that cover the 'big ideas' included in your Local Plan, rather than the more detailed requirements. The National Planning Policy Framework defines what issues are classed as strategic, and these include housing provision, mitigation against climate change, and provision of waste infrastructure.

Supplementary Planning Document

Supplementary Planning Documents (or SPDs) are prepared by district or unitary authorities, and form part of the Local Plan for an area. SPDs usually provide more detail on policies in Development Plan Documents (DPDs), for example on design or local affordable housing policy. They are not a part of the formal development plan, but are a material consideration when deciding on a planning application. Because they are not part of the development plan, SPDs do not have to be consulted on as extensively as DPDs, and do not undergo Sustainability Appraisal or independent examination.

An SPD is also sometimes known as Supplementary Planning Guidance.

Sustainability Appraisal

Sustainability Appraisal assesses the economic, environmental and social impacts of a proposed policy or plan, to ensure that it would contribute to achieving sustainable development. Development Plan Documents (DPDs) have to undergo Sustainability Appraisal, but Supplementary Planning Documents (SPDs) do not.

Sustainable Community Strategy

Sustainable Community Strategies are prepared for every local authority area. These provide a strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development. They set out the issues which are important to local people, and how they might be tackled, to move towards a 'vision' of how the place should be in the future.

Unitary authority

Unitary authorities provide a one-tier, or where parish or town councils exist a two-tier, structure of local authority in England. The responsibilities of unitary authorities include registering births, marriages and deaths, waste collection and disposal, social services, and provision of social housing.

Glossary



Looking for further advice?

For more information about the planning system, and how to get advice and help, see the Planning Help website: www.planninghelp.org.uk

The Planning Advisory Service website includes all sorts of useful information regarding plan preparation and Sustainability Appraisal. It also hosts the Department of Communities and Local Government *Plan Making Manual*. See www.pas.gov.uk

The Local Government Group and Planning Advisory Service have produced a guide for ward councillors on neighbourhood planning. See www.pas.gov.uk/pas/aio/1256514

Levett-Therivel and URS Scott Wilson have prepared useful guidance on how to go about Sustainability Appraisal of Neighbourhood Plans. See www.levett-therivel.co.uk/DIYSA.pdf

Many local authorities are already engaged with, or helping to facilitate, the preparation of Neighbourhood Plans. Some have produced guidance documents too. The easiest way to find the most up-to-date information is to use a search engine such as Google.

While Neighbourhood Plans are new, there are already existing tools and techniques that you may find of help, such as Parish Plans (see www.parishplanning.co.uk/index.html), the community planning model Planning for Real (see www.planningforreal.org.uk) and Community Landscape Character Statements (see www.cpre.org.uk).

The Planning Portal has lots of information on the planning system and is easy to use. See www.planningportal.gov.uk

Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. See www.planningaid.rtpi.org.uk and in London, www.planningaidforlondon.org.uk

This guide is also available online. Visit www.planninghelp.org.uk to download a copy.

A short e-learning course to help you put this guide into practice is available at www.ntselearning.co.uk. The course is free and available to everyone – simply register on this site to begin.

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How to shape where you live: a guide to neighbourhood planning is part of a suite of materials produced by CPRE in partnership with NALC to help local communities shape where they live.

The other documents in this series are:
How to respond to planning applications: an 8-step guide
and *Planning explained*.

All three can be found at www.planninghelp.org.uk

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