

locality

# Neighbourhood Plans

## Roadmap Guide

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# Foreword

This Guide is for all those who are involved in or thinking about, producing a neighbourhood plan and for those who are just curious to find out more. Whilst other guides are predominantly concerned with the legislation and process, we have attempted, wherever possible, to include guidance on good practice and worksheets for carrying out each part of the plan.

This Guide draws upon the experience of Locality and its partners on working with community groups preparing neighbourhood plans through the national support programme. We have worked with a wide range of organisations, parish councils and neighbourhood forums in urban and rural areas.

Locality is the national network of ambitious and enterprising community-led organisations, working together to help neighbourhoods thrive. Our members work to improve their local neighbourhoods and communities and are very effective in delivering community facilities, regenerating buildings and creating new opportunities across the country. Such community-led organisations can contribute to producing neighbourhood plans and can also be part of the means of delivering them and achieving their aims.

When local communities are empowered to lead and influence decision-making, it makes a real difference in their area. People with passion and enthusiasm can use neighbourhood planning as a means to changing their neighbourhoods for the better.

Our hope is that this Guide will help you in your endeavours to shape and enhance your local area, improve opportunities and quality of life for all and create more prosperous local economies. This community-led approach is fundamentally what Locality is about.

**Tony Armstrong**  
**Chief Executive, Locality**



# Introduction

## Who is this Guide for?

Neighbourhood planning was introduced in 2012. Local communities (neighbourhood forums in unparished areas and town/parish councils) can produce neighbourhood plans for their local areas, putting in place a vision and policies for the future development of the area. This presents real opportunities, but can seem a little daunting.

This Guide is designed to help local communities or parish and town councils to decide whether or not to produce a neighbourhood plan for their area and, if they decide to go ahead, to guide them through the process of producing the plan and thinking about how it will be delivered.

The roadmap not only gives guidance on the requirements of legislation, but also on best practice and how to avoid pitfalls. In particular, it emphasises the need for a robust evidence base and effective community engagement as an essential part of producing a realistic plan, which has a sense of community ownership.

## How to use this Guide

Part A of the roadmap describes what neighbourhood planning is about and discusses some of the opportunities and challenges. It contains advice to help communities to decide whether a neighbourhood plan is right for them or whether a different type of planning tool, such as a village design statement, might be more appropriate.

Part B of the roadmap provides guidance on producing a neighbourhood plan, from getting a neighbourhood area designated to the public referendum and making of the plan.

A set of worksheets has been produced for use with the Guide. The worksheets supplement parts A and B of the document, providing more detail in the form of key task lists and guidance.

The Guide also contains advice on where further information and support can be obtained and a glossary of technical terms.

Throughout this Guide, the term 'neighbourhood plan' refers to a 'Neighbourhood Development Plan', as introduced by the Localism Act 2011.

# Part A – Deciding to produce a neighbourhood plan



# Neighbourhood planning

## Localism and neighbourhood planning

The idea behind localism is that decision-making be passed to a more local level, from local government to local communities.

There are two main parts to neighbourhood planning: neighbourhood plans and Neighbourhood Development Orders (including Community Right to Build Orders).

## What is a neighbourhood plan?

A neighbourhood plan is a community-led planning framework for guiding the future development, regeneration and conservation of an area. It is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport) or it may focus on one or two issues only. These may be issues that are relevant to the whole neighbourhood or just to part of the neighbourhood. It is for those producing the plan to decide on its scope and content.

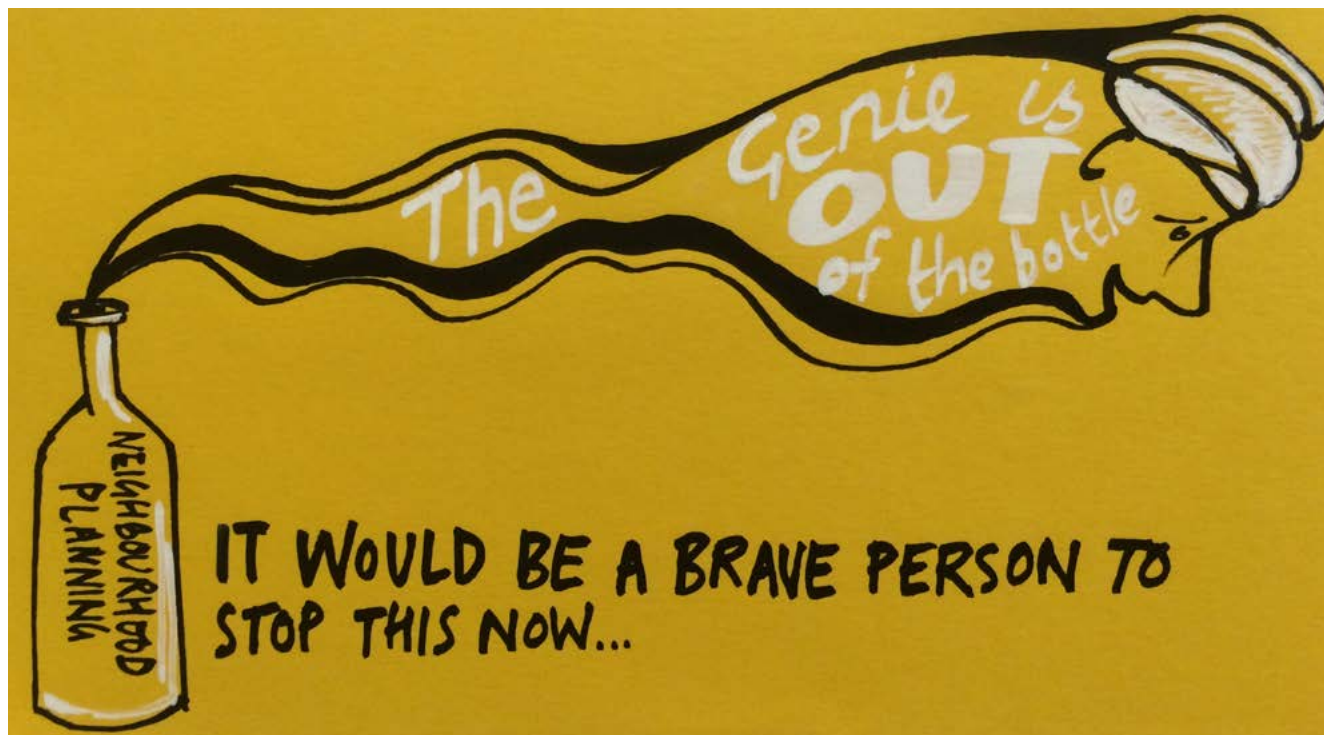
A neighbourhood plan will be part of the statutory development plan for the area, if successful at referendum. This statutory status gives neighbourhood plans far more weight than some other local documents, such as parish plans, community plans and village design statements.

A neighbourhood plan must meet certain 'basic conditions'. These include compliance with European and national legislation, contributes to the achievement of sustainable development, having appropriate regard to national policy and being in general conformity with existing strategic local planning policy. It should not promote less development than that identified in the development plan for the local area (such as new housing allocations). It can allow greater growth levels. Also, it can specify policies and guidance on how new development should be designed, orientated and located. Neighbourhood plans can be a powerful tool in shaping the development of a neighbourhood. The timeframe for the neighbourhood plan will be for communities to decide, for example whether it is a five, 10, 15 or 20-year plan.

A robust programme of community engagement and proportionate evidence base should help to make sure that a neighbourhood plan is based on a proper understanding of the area and of the views, aspirations, wants and needs of local people. Producing a clear project plan with key milestones could be very helpful in guiding the plan-making process.

Once a neighbourhood plan has been completed, it will have to be submitted to the local authority and then be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with strategic local policy.





## What is a Neighbourhood Development Order?

A Neighbourhood Development Order is a means for parish/town councils or neighbourhood forums to grant planning permission for certain kinds of development within a specified area. For example, in historic areas, a Neighbourhood Development Order could allow missing historical features such as front boundary walls to be reinstated or could allow things like improvements to shop fronts or extensions to houses or other buildings. This could be for the whole of or just for a part of the neighbourhood area.

A Community Right to Build Order is a special kind of Neighbourhood Development Order, granting planning permission for small, community development schemes, such as housing or new community facilities. Local community organisations that meet certain requirements or parish/town councils are able to prepare Community Right to Build Orders. Locality has produced separate guidance on the use of Community Right to Build Orders.

## Public referendum

Neighbourhood plans or Neighbourhood Development Orders (including Community Right to Build Orders) are subjected to an independent examination and any necessary modifications are then made to ensure they meet legal requirements. They are then subjected to a public referendum. It is necessary that more than 50% of those voting in the referendum vote "yes" in order to bring the plan or order into force.



## Making the decision to prepare a neighbourhood plan

Producing a neighbourhood plan has advantages over other kinds of plan (such as parish or community plans) because it enables communities to take the lead in their own neighbourhoods in producing part of the statutory development plan for the area (see below). neighbourhood plans have real legal force.

Any group of people considering taking on a neighbourhood plan will need to weigh the opportunities against the resource implications and other considerations and come to a balanced view. This is particularly important in considering the scope of the neighbourhood plan - it is not a requirement for these plans to be mini-local plans.

The following sections describe the opportunities and commitments associated with neighbourhood planning in order to help with making this decision.



## Opportunities and advantages

A neighbourhood plan offers several advantages over simply relying on the Local Plan produced by the local council or on more informal plans, like community plans or parish plans:

### Community-led

Neighbourhood plans are led by authorised local community organisations (parish or town councils or neighbourhood forums) rather than the local council's planning department. This means that community representatives write the plan themselves (or ask others to write the plan, but under their control).

Community groups or parish/town councils preparing plans have the opportunity to engage properly with the wider community right from the beginning of the plan-preparation process, to make sure it genuinely represents the range of wants and needs in the local area.

### More influence

A neighbourhood plan would be part of the statutory development plan for the area. This means that local authorities or planning inspectors would have to make decisions on the basis of the neighbourhood plan policies and any other material considerations when considering planning applications or appeals in the neighbourhood area. In other words, the neighbourhood plan would carry more weight as a consideration in planning decisions, effectively giving the local community more influence and control over the development of their area.

### More relevance

Whilst the Local Plan covers the whole district, a neighbourhood plan would be focused on the needs of the neighbourhood and would allow the local community to

specify in more detail what they expect from development. For example, it could contain more detail on things like urban design, affordable housing, and preferred sites/locations for housing and other development. This is about guiding and shaping development, not undermining the delivery of development in that area.

The plan could also guide the provision of infrastructure, for example, setting out priorities for new development such as improving pedestrian links, upgrading paths and open space. This would inform subsequent negotiations between local authorities and developers.

### Establishing a dialogue

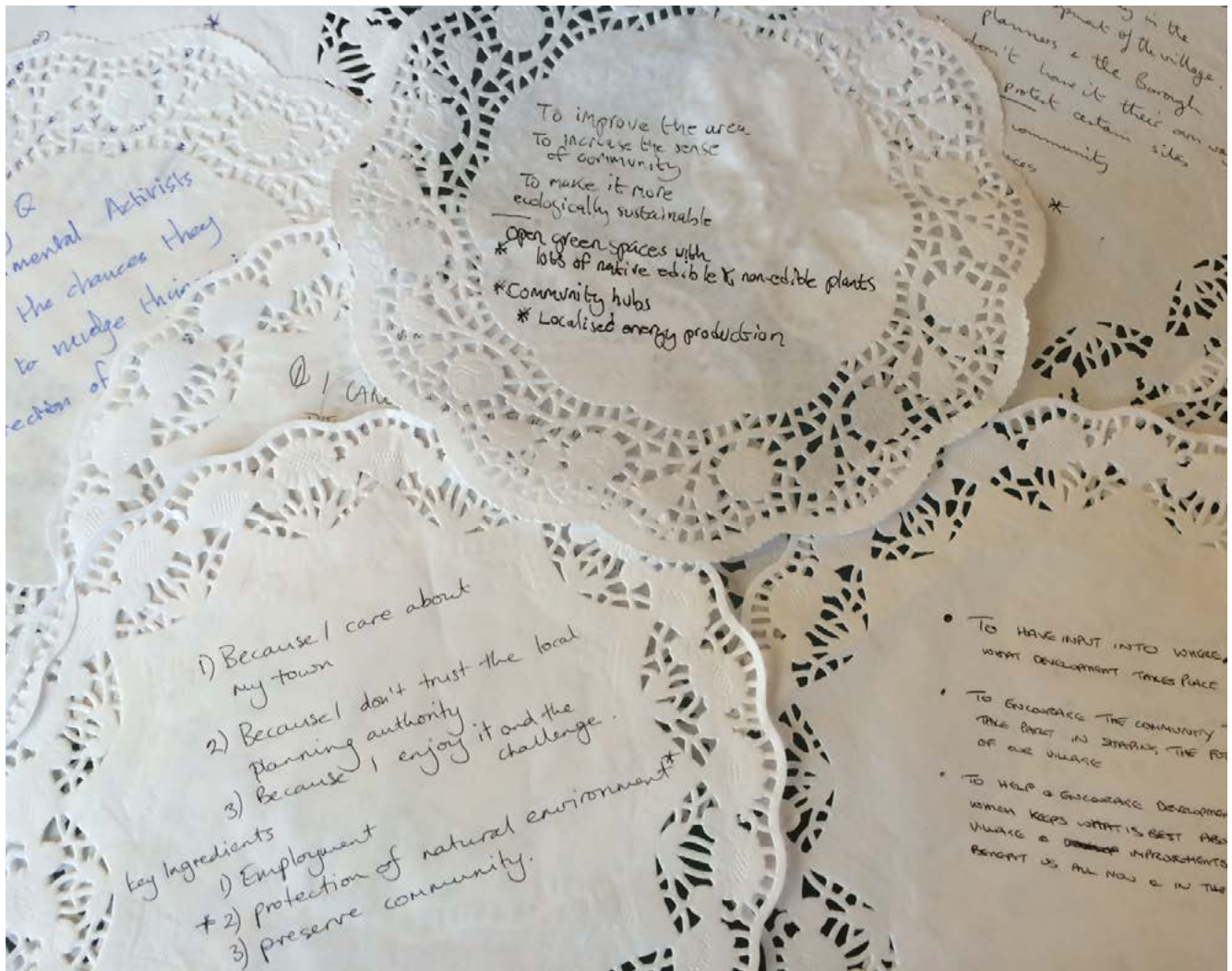
Those producing neighbourhood plans will need to speak to a range of organisations, departments and local partners. This will establish a range of dialogues which would otherwise probably not take place, potentially influencing the activities of the various organisations involved.

The plan could include things like improvement of streets and public spaces or where community facilities should be located. This would provide the context for negotiations with local authority departments (e.g. highways) and could help to influence their future works or development.

### Site allocation

Depending on the level of detail in the Local Plan, the neighbourhood plan allows the community to develop criteria and choose which sites are allocated for what kind of development.





## Things to consider

In considering the time and cost implications of producing a neighbourhood plan, there are certain factors to consider.

Once the neighbourhood area has been approved, the legal requirement for local authorities to support those preparing Neighbourhood Plans should be taken into account. (See section Duty to Support which sets out the kinds of support that could be expected).

## Scope of the plan and the neighbourhood area

The scope and complexity of the plan will depend on various factors, including what is already covered in the core strategy, the nature of the area in question (for example economic condition and expected level of growth) and the community's preferred outcomes. A plan could be wide-ranging, or deal with one or two issues only. It could be detailed, or simply set general principles for development. The choice is down to the body producing the plan and this will clearly have significant implications in terms of time and cost.

The size of population (including the business community) in the neighbourhood area will similarly be a significant factor with time and cost implications. The lower the population and number of businesses, the lower the likely costs of community engagement.



### **Adequacy of existing policy**

The decision on whether to produce a neighbourhood plan, or to identify the scope and content of the plan, depends to a significant extent on the adequacy of existing local policies contained in the Local Plan (core strategy). If existing policy is robust and relevant to the neighbourhood area in question, then there may be no need for a neighbourhood plan, or a simpler and more selective neighbourhood plan could be produced. A review of existing policy and discussion with the local planning authority should help to make this clear.

### **Skills and qualities**

Leading the production of a neighbourhood plan will require a range of skills, depending on the scope and complexity of the plan. These include both inter-personal skills and specialist skills. Consideration will need to be made of the skills available in the parish or town council or neighbourhood forum. Additional skills and capacity may be available through working with partners in the local area, including the local planning authority.

General skills for producing a neighbourhood plan include:

- leadership
- project management and organisational skills
- an ability to engage a diverse range of members of the public and to listen
- communication and negotiation
- analytical skills
- ability to work in a team.

Neighbourhood Planning probably is not for people who find compromise, differing viewpoints or working in collaboration difficult.

Specialist skills required will depend on the nature of the area in question. Examples of specialist skills could include reading maps or plans and data analysis. It could also include knowledge of specific topic areas, such as urban design, retail, heritage-led regeneration, housing, transport or other planning issues. It could also include things like environmental assessment.

Organising and running community engagement also requires specialist skills. It is sometimes done badly and too late due to the lack of such skills. Community engagement is dealt with in more detail later in this Guide. Specialist skills could either be provided by members of the community organisation producing the plan or could be provided by consultants or other external sources. Clearly there are cost implications of having to buy in skilled or specialist support.



### Alternatives to a neighbourhood plan

There are alternatives to producing a neighbourhood plan. One alternative is to produce an Area Action Plan. This would form part of the Local Plan so would have statutory status. Also, it would avoid the costs to the local authority associated with a local referendum (and the risk of an adverse vote). However, they are local authority-led rather than being led by a town/parish council or neighbourhood forum and there are additional legal steps that may be required. Nonetheless, this could be worth considering, and you may find it helpful to discuss alternatives with your local planning authority.

Additional guidance on things like urban design could be prepared as a supplementary planning document as part of the Local Plan. This could either be district-wide or could identify different character areas or focus on one specific area. Again, this would be local authority-led, though the community could have a leading role in preparing it, in agreement with the local planning authority.

There are also more informal plans such as parish plans or community plans. These would be a material consideration in planning decisions, but they do not have statutory status as part of the local development plan, so would carry far less weight.

If you find your issues are 'big picture' ones such as the need for additional roads (such as a bypass) or flood-related or to do with sustainability and urban design standards, then you may be better off trying to influence the higher level Local Plan or negotiating with the local highways authority.

As discussed above, there are both time and financial implications in producing a neighbourhood plan. These should be weighed against the alternative potential uses of that time and money. For example, an organisation that has just completed a parish plan may wish to focus on delivery rather than further investment in policy work. Of course, they could still produce a neighbourhood plan at a later date in order to put their ambitions on a statutory footing.

### Consultation fatigue

There may be a reluctance to produce a neighbourhood plan if there have been recent programmes of community engagement for other types of plan, such as parish or community plans. However, if such consultation has been done well, and there is plenty of information and views were formally recorded, it could inform the neighbourhood plan, so it would not be necessary to start again.





## Estimating the commitment

### Time and energy

For a parish or town council or neighbourhood forum preparing a neighbourhood plan, there are significant commitments in terms of time and energy, over a period of months or years. This will vary greatly between different plans and areas.

It is advisable to estimate the time needed for the different stages of the plan-making process, the tasks required and the necessary commitment from the different people involved (this may vary between people depending on availability and skills).

Part B of this Guide describes these stages in some detail and should assist in estimating time requirements. The local authority may be able to help in making these estimations. They may also be able to offer officer or elected member time to help with the process. You could also speak to individuals or groups that have

undertaken similar exercises to gain insight into the time implications.

There may be ways of saving time. For example, where there is a recent community plan or parish plan, it may not be necessary to start from scratch with the neighbourhood plan. The existing plan would be part of the evidence base and quite a lot of material could be used in the new plan. Much would depend on how robust the existing plan was in terms of a strong evidence base and robust and effective community engagement.

Although it is impossible to generalise on the time it takes to prepare a neighbourhood plan, experience suggests that the average time may be around 18-24 months from the beginning of the process to the plan being made.



### Financial resources

There will be costs associated with preparing a neighbourhood plan. Estimates vary widely; from less than ten thousand pounds to several times this amount for larger and more complex plans (such as a town centre and its environs). Some of the costs are the responsibility of the local planning authority, such as the costs of holding the independent examination and the public referendum. Funding for other costs will need to be found by the parish/town council or neighbourhood forum preparing the plan.

It is advisable to prepare an estimated budget for the plan process. This could cover items like the costs of community engagement activities and professional consultancy costs if required (for example, to cover specialist advice, evidence gathering or policy writing). Of course, there may be unforeseen costs – for example, if the evidence base or outcome of community engagement identifies new issues. Some contingency is therefore necessary.

It is possible to manage costs. Some professional support may be available from the local council, support programmes or free support from local professionals (known as pro-bono support). Local organisations may make venues available for no charge for community engagement events. Much depends on the skills and time available within the community organisations producing the plan.

Possible sources of funding or professional support include specific neighbourhood planning programmes (such as those run by Locality), local authority contributions, donations or income from fund-raising activities, or a precept in the case of parish or town councils. Some developers, local businesses or land owners have expressed an interest in helping with costs, particularly where they have an interest in land within the declared boundary. This may be helpful, though care is required to avoid the impression of inappropriate influence over other members of the community.

### Reaching a decision

The production of a neighbourhood plan is undoubtedly a tremendous opportunity, but to embark on preparing a plan there needs to be a clear idea of the practical and financial implications. The advantages and opportunities previously mentioned may be weighed against the time and cost implications and other considerations to help make an informed decision. Worksheet 1 should help with the decision-making process.

# Part B – Producing a neighbourhood plan



# Overview of the process

There are three main stages to producing a neighbourhood plan:

## Stage 1 – Getting established

The first step for parish/town councils or prospective neighbourhood forums wishing to prepare a neighbourhood plan is to submit their proposed neighbourhood area to the local planning authority for designation. Prospective neighbourhood forums will also need to be designated by the local planning authority.

## Stage 2 – Preparing the plan

Preparing to write a neighbourhood plan includes publicity, development of local partnerships, community consultation and engagement and the building of an evidence base. This will inform the development of a vision and/or aims for the plan. These in turn will inform the formulation of policy and, where appropriate, site allocations. Community engagement and consultation will be necessary at all stages of the plan-making process.

## Stage 3 – Bringing the plan into force

The proposed neighbourhood plan will be submitted to the local planning authority, which will check that proper procedures have been followed in its preparation and that any necessary assessments accompany the plan. Following a period of publicity, the local planning authority will arrange for an independent examination. It will also organise the public referendum, subject to the plan meeting legal requirements.

For clarity, the following guidance describes the neighbourhood planning process in defined stages, as a logical progression. The reality of neighbourhood planning is often more complex, with different stages running in parallel. Neighbourhood planning is a participatory and interactive activity, so flexibility is essential. Obviously, it is also

essential to make sure that the statutory requirements for neighbourhood planning are properly addressed at the relevant stages. These are set out in the following sections of this Guide.



# Getting established

## First steps

For neighbourhood planning bodies (parish or town councils or prospective neighbourhood forums), work on a neighbourhood plan can only commence formally when the neighbourhood area has been designated by the local authority (see later Neighbourhood Area section). Of course there is a lot a community can do before this stage in considering the issues and aspirations their plan might cover. Once the neighbourhood area is designated, parish or town councils may formally commence work on the plan.

Prospective neighbourhood forums will need to be designated by the local planning authority before commencing work. It is common to apply for the neighbourhood area first, then the neighbourhood forum. There is no legal reason why they should not apply for both at the same time. However, if the neighbourhood area is revised through the approval process, it may be necessary to review the membership and reach of the neighbourhood forum members and resubmit it for designation.

In determining the neighbourhood area, it will be helpful to discuss options with the local council, which should be able to offer advice. It is also important to speak to other local groups and people living in the area (see later sections on 'Publicising the proposal to prepare a neighbourhood plan' and 'Key local partners').

## Neighbourhood area

For town or parish councils, there is an assumption that the neighbourhood area will be the same as the parish boundary. However, they may choose a smaller and more focused area, such as a town or local centre. Also, adjacent parish/town councils may agree to work in partnership to produce a joint neighbourhood plan. Once the area has been identified, it will need to be submitted to the local planning authority for designation.

Prospective neighbourhood forums will need to identify a neighbourhood area and submit it to the local planning authority for designation.

Neighbourhood areas cannot overlap. Where more than one prospective neighbourhood forum is looking at the same neighbourhood area, or areas that overlap, negotiations would need to take place, preferably before submitting either area for designation. Solutions could be to amend the neighbourhood area boundaries to create two separate and distinctive areas with no overlap, or for the prospective neighbourhood forums to merge into one forum and to propose a neighbourhood area that they can agree on.

It should be noted, there can be only one neighbourhood area for each neighbourhood plan and only one neighbourhood plan for each neighbourhood area. There can be more than one Neighbourhood Development Order in each neighbourhood area.

## Deciding on the Neighbourhood area boundary

Deciding on the neighbourhood area boundary can be quite challenging in non-parished areas. The local planning authority should be able to provide maps as a starting point. Careful thought needs to be given to the question of “what is the local neighbourhood?” Neighbourhood areas may be large or small. For example, it could contain a village, town centre, local shops, housing estate, employment area, park or a combination of these things.

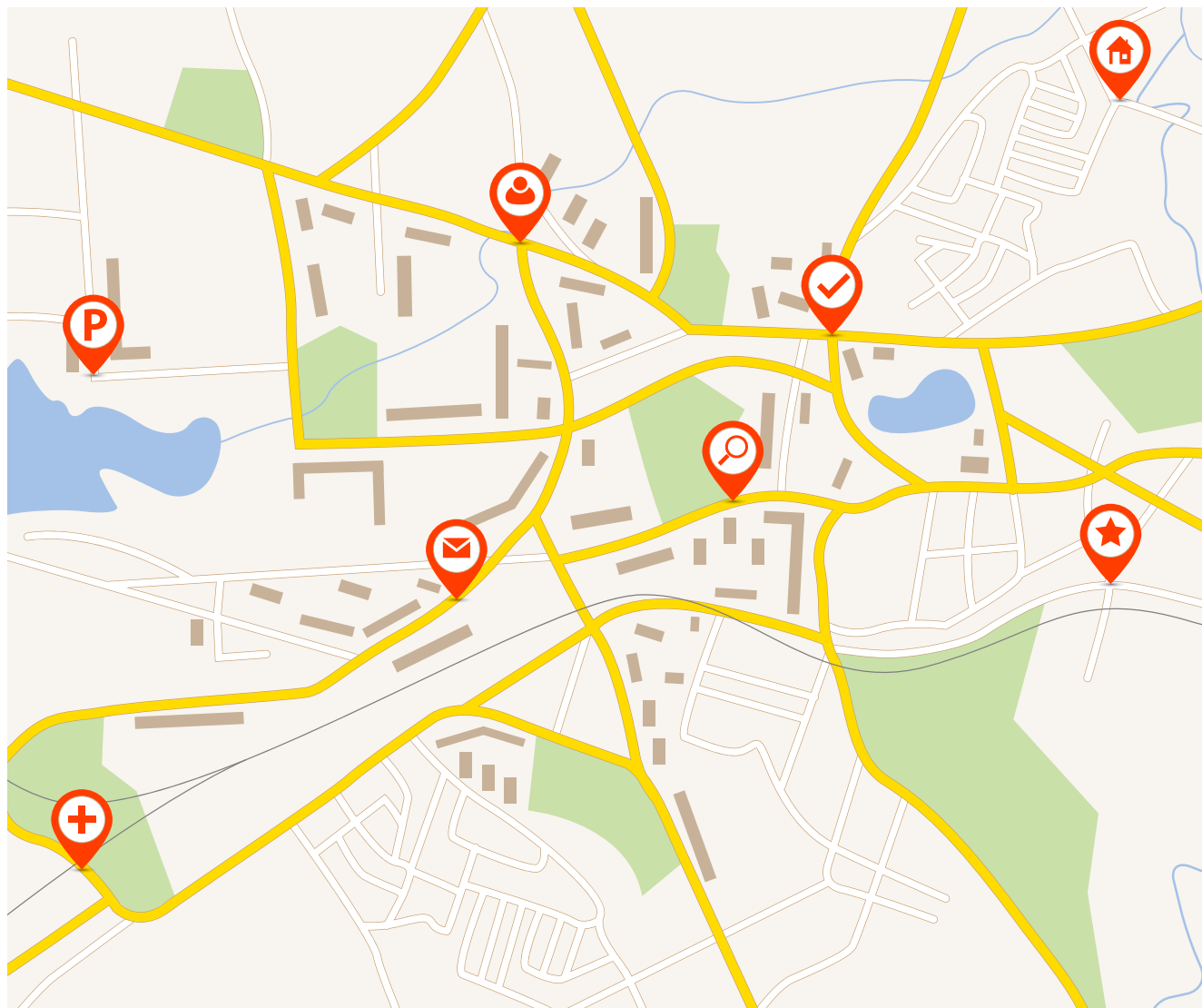
The government guidance puts forward the following considerations when deciding on the Neighbourhood Area boundary:

- village or settlement boundaries, which could reflect areas of planned expansion
- the catchment area for walking to local services such as shops, primary schools, doctors’ surgery, parks or other facilities
- the area where formal or informal networks of community based groups operate
- the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style
- whether the area forms all or part of a coherent estate either for businesses or residents
- whether the area is wholly or predominantly a business area
- whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway
- the natural setting or features in an area
- size of the population (living and working) in the area.

A useful technique can be to identify a ‘definite’ core area and then to identify possible additional areas and consult on them informally. The area covered by one or more residents’ associations or business organisations could also be used.

The neighbourhood area could also be based on an administrative boundary such as an electoral ward or postal district, though these may not coincide with what may be considered as a neighbourhood by local people.

The boundary should be one that is clearly defined by physical characteristics, such as roads, railways, or by the boundaries of a housing estate.



## Business areas

Where a proposed neighbourhood area is one that is wholly or predominantly business in nature, the local authority may decide to designate it as a business area. This has the effect of allowing business people to vote in an additional referendum on whether to bring the neighbourhood plan into force. While such areas, by their nature, may choose to prepare a plan with a greater business focus, the additional referendum is the only procedural difference between a designated business area, and other neighbourhood planning areas.

## Qualifying bodies

### Parish and town councils

Where there is a town or parish council, that is the qualifying body for producing a neighbourhood plan. Although there is no need to put together a neighbourhood forum, parish or town councils may choose to put together a steering or working group(s) of community representatives to assist in the process. This helps to ensure that the neighbourhood plan is community-led and engages with a wide range of interests. But the town or parish council is the body ultimately responsible for consulting on the plan and submitting it for independent examination. Parish councils may work in partnership with other parish councils to produce joint neighbourhood plans.



### Forming a neighbourhood forum

Where there is no parish or town council, a prospective neighbourhood forum of at least 21 people must be formed to lead and co-ordinate the plan-making process. Under legal requirements, a neighbourhood forum must have:

- the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned
- a purpose that reflects the character of the area in general terms
- membership open to people living and working in the area, and elected members for the area (reasonable steps must be taken to secure at least one of each)
- a minimum of 21 members from above groups.

It is good practice to try to make sure the membership of the neighbourhood forum reflects the character and diversity of the local population, with people from different places in the area and different sections of the community. For example, it could include elderly and young people, different ethnic groups (reflecting the make-up of the local population), residents of different economic means and small business owners.

The task for both neighbourhood forums and parish/town councils is to lead and co-ordinate the process of producing a neighbourhood plan. It is up to the neighbourhood forum or town/parish council how it chooses to undertake the work and whether it commissions other organisations to work with it or on its behalf (resources allowing).

It should be emphasised that however diverse the make-up of the neighbourhood planning body, it needs to consider the wider diversity of views of the local population. That is why effective community engagement at the beginning of - and throughout - the process is so important (see later section on community engagement).





## Producing a constitution

All neighbourhood forums will require a written constitution. It is a good idea to keep the written constitution as clear and simple as possible. It is helpful to include:

- the name of the neighbourhood forum
- the purpose of the neighbourhood forum
- working arrangements, including sub-groups, partners and their roles
- pattern of meetings and details of how decisions will be made
- details of governance, including official positions (such as chair, secretary, treasurer)
- arrangements for management and financial management
- details of how declared interests and potential conflicts of interest will be recorded and managed
- membership procedures (new members)
- duration of the forum (five years from being designated).

The purpose of a neighbourhood forum needs to include 'promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned'.

## Submissions to the local planning authority

The neighbourhood area and neighbourhood forum (where applicable) need to be designated by the local planning authority. It is a good idea to maintain a continuing dialogue with the local authority and to gain its views before submitting the neighbourhood area and/or neighbourhood forum applications for approval. The need for regular liaison applies throughout the neighbourhood planning process.

**Neighbourhood area:**

To apply for approval for a neighbourhood area, the parish or town council or neighbourhood forum will need to submit details to the local planning authority. Such details include the following:

- a map identifying the proposed neighbourhood area
- a statement explaining why the area is appropriate to be designated as a neighbourhood area
- a statement explaining that the body making the area application (the parish or town council or prospective neighbourhood forum) is capable of being a qualifying body.

The statement explaining why the area is appropriate could include a description of how the area was chosen. There is no standard template for this; each area will be different, but it should mention any methodology, techniques, criteria, discussion or consultation and explain the thinking behind the area. You might include evidence demonstrating that you have asked residents towards the edge of your boundary that they identify with that particular neighbourhood (rather than one next to it). Even for parish councils applying for the entire neighbourhood area, it is necessary to explain what options were considered and why the whole area was chosen.

The statement explaining that the body making the application is a qualifying body is fairly simple in the case of town or parish councils. For a prospective neighbourhood forum, it will need to demonstrate that it is capable of being designated as a neighbourhood forum.

Where a neighbourhood area includes land in more than one local authority area, the neighbourhood area and neighbourhood forum applications will have to be submitted to each one of the local authorities for approval and each will have to decide on the area to be designated.

**Neighbourhood forum:**

To apply for approval for a neighbourhood forum, the submission to the local authority needs to include the following:

- the name of the proposed neighbourhood forum
- a written constitution for the proposed neighbourhood forum
- the name of the neighbourhood area to which the forum relates and a map identifying that area
- contact details of at least one member of the proposed neighbourhood forum (this will be made public)
- a statement explaining how the proposed neighbourhood forum meets legal requirements.

The statement explaining how the proposed neighbourhood forum meets the legal requirements should explain how the forum was put together and should include the following:

- details of the people on the forum (minimum of 21). This should include:
  - details of whether they live or work or are elected members in the area
  - It could also describe their areas of interest or expertise (see worksheet)
- an explanation of how the forum meets legal requirements in terms of its purpose and make-up (see previous section on Forming a neighbourhood forum).

**Writing supporting statements**

In writing the supporting statements for both the neighbourhood area and neighbourhood forum, it is better to use clear, concise and unambiguous English and to avoid jargon. Very long or complicated statements should be avoided.





## Local authority decisions

On receiving the application for a neighbourhood area or a neighbourhood forum, the local authority will publicise it (four weeks for area applications covering a whole parish, six-week consultation period for all other kinds of application). The local authority should issue a decision on whether to designate a neighbourhood area or a neighbourhood forum as soon as possible after the consultation period ends. In the case of neighbourhood areas, there are time limits on the time in which a local authority must make a decision. From the day after the application is publicised, decisions are required within:

- 20 weeks for neighbourhood areas falling within the area of two or more local authorities
- eight weeks for parish councils applying for the whole parish area
- 13 weeks for all other neighbourhood area applications.

It is a good idea to ask the local authority the date on which it expects to make a decision. The local authority must give clear reasons for its decision and publicise it, once it is made.

The local planning authority is required to publicise a map of neighbourhood areas that it has designated, which can be helpful to groups when they are looking at defining a neighbourhood area themselves.

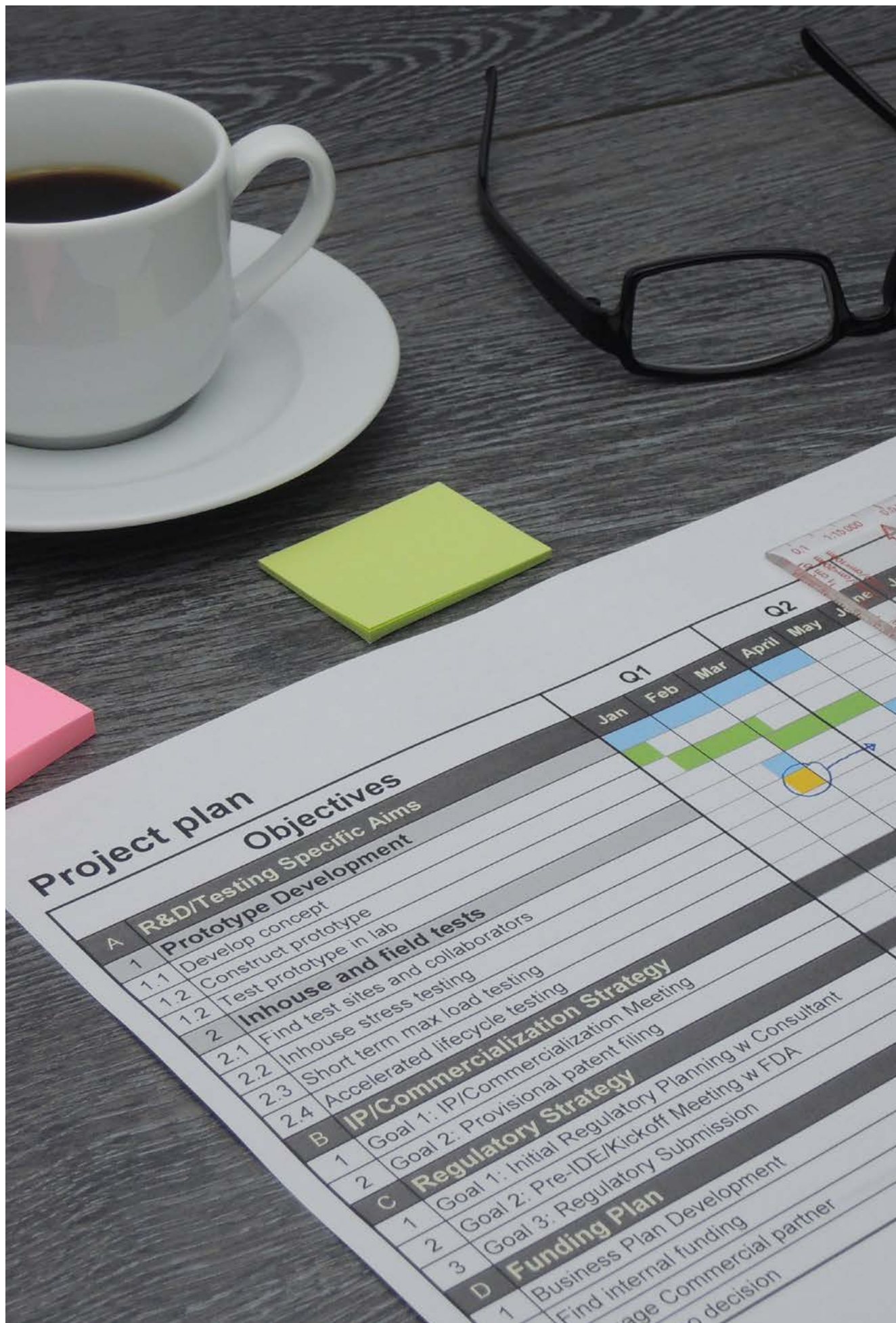
## Duty to support

Once the neighbourhood area is approved, the local planning authority is legally required to provide support and advice to those bodies producing a neighbourhood plan in its area. This could include things like:

- making available data for the evidence base, including the evidence underpinning any adopted or emerging local plans
- arranging meetings, as appropriate, with the qualifying body
- setting out local strategic policies in the adopted Local Plan
- highlighting national policies which will need to be considered
- providing advice on the legal requirements for neighbourhood planning under the Town and Country Planning Act 1990 (as amended by the Localism Act)
- providing advice on general planning matters
- sharing information on key contacts and stakeholders
- making available venues and helping to arrange community engagement activities, to avoid consultation overload and maximise efficiencies of resources
- checking the plan prior to formal submission (development management and policy teams)
- participation in meetings of the qualifying body or its working groups
- providing advice on who needs to be consulted, especially in order to help the draft proposals meet the basic conditions (such as compatibility with EU obligations)
- providing technical support, such as assistance in laying out and illustrating a plan
- providing members for neighbourhood forums or more informal steering/working groups
- screening the emerging neighbourhood plan for Strategic Environmental Assessment (SEA) or Habitat Regulations Assessment (HRA).

The Duty to Support does not require the giving of financial assistance to parish councils or designated neighbourhood forums, but this should not stop those local planning authorities that wish to do so from offering such assistance.







# Preparing the plan

## Project plan

It is very helpful to draw up an action plan or programme for preparing a neighbourhood plan (a project plan). This can identify key stages, actions and an indicative timetable. It can also identify available resources and likely costs. Things like developing the evidence base and undertaking community engagement will have to be designed around the available budget. The plan could also allocate responsibilities for co-ordinating different aspects of the process. It may also be helpful to identify key risks to the project's timetable and proposals to mitigate those risks.

## Scope and content

A neighbourhood plan is a planning document and will guide the future development of the area. That means it is about the use and development of land and associated social, economic and environmental issues. Neighbourhood plans can't deal with non-planning matters. The local planning authority should be able to advise on this.

The legislation does not prescribe what content a plan should have. A plan could be comprehensive, dealing with a wide range of issues, or focused on one or two issues only. It could be detailed, or simply set general principles to guide new development. This will depend on the wishes of the local community. It will also be influenced by the scope and adequacy of existing policy in the Local Plan.

Often the process of preparing a plan will highlight non-planning issues or the need for community projects. This could include things like traffic management or street cleaning. A decision needs to be made on how to deal with some issues. One option could be to produce a supplement or an annex to the neighbourhood plan, setting out such proposals. These would not form part of the statutory neighbourhood plan, so would not be subject to the independent examination and referendum.

Neighbourhood Development Orders or Community Right to Build Orders may be used to grant planning permission for specified types of development or for the development of sites identified in the neighbourhood plan.

The following are suggestions for possible content of the plan:

**Introduction.**

**Vision and aims.** The neighbourhood plan can set out the community's overall vision for the area and should include overall aims for its future development. These can relate to a wide range of planning and regeneration matters – social, economic and environmental. The vision and aims of the plan can then be translated into detailed policies, guidance and proposals later in the plan.

**The area.** An overview of the neighbourhood area will provide a useful context for the policies of the neighbourhood plan. This may include the context of the wider area and key evidence (social, economic and environmental data).

**A summary of community engagement.** It is useful to provide a brief overview of the community engagement programme that was undertaken and the key outcomes/ issues arising.

**Planning guidance.** The policies in the plan could be supplemented if necessary by more detailed guidance (e.g. guidance on the design and layout of housing development). This would be helpful in interpreting the policies of the plan.

**Planning policies.** A neighbourhood plan, once made, will form part of the statutory local development plan for the area and can contain policies against which development proposals will be considered. Planning applications will be determined in accordance with the neighbourhood plan's policies unless material considerations indicate otherwise. Policies should provide a clear indication of how a decision maker should react to a development proposal. It helps if they have supporting text that explains the intention behind the policy.

**Site allocations and/or development envelopes.** The neighbourhood plan may allocate key sites for specific kinds of development, such as housing, retail, employment or mixed use. An alternative approach is for the neighbourhood plan to define areas within which development may be located, for example village envelopes.

**Infrastructure.** Infrastructure proposals relating to the use and development of land could be included in the plan. For example, it could include policies around improving public spaces, highways, pedestrian links or providing new community facilities, providing these were essential to allowing the development of certain sites to go ahead.

## Publicising the proposal to prepare a neighbourhood plan

In order to make the process as open and transparent as possible and to ensure wide community involvement, it is advisable to begin with a programme of publicity and awareness-raising that a neighbourhood plan is being proposed. It doesn't matter how good a neighbourhood plan is if no one knows about it and no one gets involved. The aim should be to make sure that everyone knows about the plan and has an opportunity to participate.

The local authority may be able to help with this through local newsletters. Also, local radio stations and newspapers could be approached. Depending on the size of the proposed neighbourhood area, it may be possible to post leaflets through letterboxes. Notices and/or leaflets could be prepared to place in local public buildings and shops. Social media (such as Twitter and Facebook), presence at local events (such as markets and festivals) can also be used. It is important to create and maintain a neighbourhood plan website where more information can be obtained and where interested parties can follow the progress of the plan. This should include contact details, including an email address. The local authority may be able to help with the creation of a website or web pages, perhaps using their existing website.

## Key stakeholders and local partners

In addition to publicising the proposal to produce a neighbourhood plan, it is useful to identify and approach key local stakeholders and any potential partners. These are local organisations, groups and individuals that have a particular interest in the area. There are various reasons why partnership working is useful. Some partners may agree to become

part of the neighbourhood forum, where one is proposed. Others may work closely to support the preparation of the plan. They would be able to provide information and advice, contributing to the evidence base, and may even help in writing parts of the plan. Also, they may have wider memberships or networks, so can help in publicising the plan and in getting local people involved, especially minority and hard-to-engage groups. Thus, they can make life much easier for the parish or town council or neighbourhood forum and contribute significantly to the production of the plan.

Local partners could include:

- local councillors
- local shopkeepers, businesses, major employers and business organisations, including chambers of trade or commerce
- community groups such as residents' associations, local civic or amenity societies, local history groups or sports clubs, landowners of key sites or organisations with significant property holdings and developers with site options
- local trusts and project groups, such as community development trusts, land trusts or building preservation trusts
- not-for-profit organisations representing minority groups (e.g. elderly, disabled, young people, low-income, lesbian and gay groups, faith groups and ethnic groups)
- educational establishments such as schools, colleges and universities
- community facilitators or activists
- local institutions (e.g. arts centres, performance venues, architecture or built environment centres)
- health and social care organisations
- local branches of professional bodies.



## Community and stakeholder engagement and involvement

### The importance of community and stakeholder engagement

The idea behind neighbourhood plans is that they are community-led. The neighbourhood forum or parish/town council leads and co-ordinates the plan-making process. Other community members may become actively involved in the plan-making process. It will also be important to seek to engage the wider community, to gain from their knowledge and seek their views.

Effective community engagement and a robust evidence base are the pillars on which a good neighbourhood plan will be built.

#### Community engagement is necessary and important for several reasons:

**Statutory requirement.** Planning legislation requires publicity and consultation to take place on emerging plans, including neighbourhood plans. When a completed neighbourhood plan is submitted for independent examination, it will have to be accompanied by a consultation statement, demonstrating that the legal requirements for consultation have been met.

**Gaining support.** Early community engagement is essential in developing consensus, avoiding misconceptions and creating confidence in the process. This is especially important for neighbourhood plans, Neighbourhood Development Orders and Community Right to Build Orders, all of which are subject to a public referendum. The possibility of a 'no' vote is greatly reduced if people are aware of the plan, understand its scope and limitations and have had the opportunity to participate in its production. Good community engagement helps to create a sense of public ownership.

#### **Understanding the neighbourhood.**

Finding out what people think and drawing on their knowledge is an important part of developing the evidence base for an area. It is impossible to write policy for a community unless there is a strong level of understanding of that community.

**Better outcomes.** The community knows a lot about its own place. Effective community engagement leads to more realistic and deliverable plans and policies.

**Avoidance of conflict.** Failure to engage communities properly at an early stage is one of the main causes of conflict later in the planning process. This can lead to additional costs and delays.

**Democratic deficit.** The referendum will involve a simple 'yes' or 'no' vote on a complex document dealing with a range of issues. Properly engaging people from the beginning ensures that there is an opportunity to influence the detail of the plan through a participatory process, rather than just having the option to accept or reject it in its entirety. Residents will have to weigh up carefully the things in the draft plan they are happy or unhappy about in order to reach a judgment. Democratic legitimacy will come from the combination of the referendum and effective community engagement.



## Stages of community and stakeholder engagement

The process of plan-making is almost as important as the plan itself. It helps generate the content of the plan and provides the means to demonstrate that people and businesses are really behind it, which will give it momentum for the delivery phase. Indeed, producing the plan only gets the community part of the way towards its intended goal. The key to the success of neighbourhood planning is the delivery of the plan's proposals.

There are different stages for engaging local communities and stakeholders. It will be useful to plan the overall programme at the start. However, there is also a need for flexibility so that the programme can respond to issues arising at later stages.

Where intensive community engagement has recently been undertaken (e.g. in respect of the community or parish plan), the material obtained will be useful in informing the neighbourhood plan. The community engagement programme can be designed accordingly.

The following guidance describes broad stages for running a community engagement programme. The reality is more likely to be a continuous and constantly evolving programme. So the following stages should be considered as a general guide, rather than a rigid order of events.

### **Early engagement**

In many ways, the most important stage of community engagement is at the beginning. This should be undertaken before the plan's vision and aims are developed; the purpose is to gather information and identify key issues and themes. These may inform the vision and aims and policies of the plan.

Care should be taken to ask open questions and avoid 'loading' the process. Simple questions may be asked, like:

- what is good about the area?
- what is bad about the area?
- what makes a neighbourhood good to live and work in?
- what pressures affect the area now or in the future?
- what needs to change?

Such questions allow individuals to present their own points of view. Local residents and businesses may have very different ideas of an area's merits and problems to those leading the plan-making process and it is important that there is an opportunity to express these.

These questions can be used on a variety of groups including school children. A technique that works particularly well with school children is to ask them to draw and/or describe how they would like the area to be in the future.

More specific questions could also be asked based on local circumstances. For example, people's views could be sought on the local retail centre, local parks, key sites and buildings.

As wide a range of views as possible should be sought. It is useful to employ a range of techniques (see community engagement worksheet).

The responses should allow common themes to emerge. It will also identify more specific themes, such as access for people of limited mobility.

### **Mid-stage engagement**

Early community engagement should aim to identify key themes and issues and these can be used to inform the vision and aims for the plan. Later community engagement can include consultation on the draft vision and aims and also workshop events or discussions to examine specific issues/themes. This is an interactive process and should be flexible to respond to issues being raised. A useful mechanism to take this forward can be to set up working groups tasked with exploring a particular issue or idea in more depth.

Essentially, on-going community engagement should be designed to provide information needed to develop the detail of the neighbourhood plan. For example, detailed questions or discussions could focus on a town centre or local shopping centre, housing needs, or a key public space. For some sites, policies or proposals, different options may be discussed so that people can discuss the advantages and disadvantages of each.

### **Consulting on the completed plan**

Once a draft plan has been produced, it must be subjected to further consultation. This stage of consultation is a requirement of the neighbourhood planning regulations (Regulation 14 - see later section on Pre-Submission Consultation).

Few people will have the time or inclination to read a detailed document. Therefore, it may be useful to produce a concise summary version. This can set out the aims, main themes and general direction of policy.

Local partners and others interested in the plan will have the opportunity to comment on matters of detail. There is a requirement to consult with certain bodies and the local authority should be able to advise on this. The plan may then be amended, taking account of any feedback received.



## Good practice in community engagement

Community engagement and consultation is now an established part of planning. However, it is not always done well. The following should help to guide the development of effective programmes of community engagement in the neighbourhood planning process.



### Common mistakes – what to avoid

Consultation is often done badly. Things to avoid include:

**The stand in the library with a thick technical document approach.** Not surprisingly, few people will read a completed plan document.

**Talking at people at a public meeting.** Public meetings allow little time for each person to speak and can be intimidating for some and confrontational.

**Consultants producing options before consulting anyone.** It is poor practice to commission consultants to produce options before consulting the local community.

**Publish and defend.** This applies where policy or master plans are produced before community engagement takes place.

**Boring people to the point of unconsciousness.** Public meetings with presentations comprising dense slides of text are an example.

**Assuming people are too stupid.** The fact that many planning issues are complex is all the more reason why there is a need to draw on the skills, knowledge and understanding of the wider community.

**Strong leadership, not consultation.** Strong leadership is rooted in listening and entering into dialogue. Only weak leaders think they need to instruct and to ignore the opinions of others.

**Outcomes predetermined.** There is no point wasting time and money on 'consultation' if there is no opportunity to influence what happens.

**Front loading:** Community engagement should be undertaken before work commences on the plan - this is called 'front-loading'. The purpose of early community engagement is to gather information to inform the plan.

**Capacity building:** It will often be necessary to include awareness-raising, education and training in consultation activities so that those participating in community engagement events are informed about the purpose of the plan and the kind of issues it is dealing with. This allows informed participation in the plan-making process and is especially important where complex issues are being considered.

**Open process:** Identifying and welcoming new members of the neighbourhood forum or working group to reflect the diversity of your neighbourhood in an initial community planning workshop or drop-in event can avoid any later suggestion that only a select number of people were approached. It is important that all neighbourhood forums and working groups maintain an open and inclusive membership policy.

**Avoiding tokenism:** The purpose of undertaking community engagement is to inform the content of the plan. If the outcomes have already been determined, then community engagement is tokenistic. In effect it is a public relations exercise. This leads to scepticism and disillusionment.

**Specialist advice and support:** It may be necessary to bring in specialist advice and support for those leading and participating in the planning process. Local authorities involved in plan-making have access to specialist advisers and it is likely that community groups will want similar support.

**Being creative:** Community engagement needs to be stimulating and enjoyable. It should be relevant to people's lives and give an opportunity to everyone to contribute. Too often it is dull and inaccessible and therefore fails to engage. Developing community engagement events requires real skill and creativity.

**Managing expectations:** Community engagement exercises can raise unrealistic expectations if they are poorly run, leading to disappointment and cynicism. It is necessary to explain the scope and limitations of the planning system and of neighbourhood plans - in particular that they are a means to an end, not the end itself.

**Targeting:** Whilst some people will naturally want to get involved in neighbourhood planning, with other people, targeting will be necessary. This could include the elderly, young people, ethnic groups and other minority or hard-to-engage groups. Working through local partnerships is one of the ways of spreading the reach of community engagement activities.

**Accessibility:** Careful thought needs to be given to make consultation accessible, including location, timing, media, and format. Events should be informal and unintimidating – for example, those running events should dress informally. They should be timed to avoid clashing with key events, such as sports events, and to cater for people who work at different times. Jargon should be avoided. Indeed, the term 'neighbourhood plan' may be off-putting to some people, whereas they would be more than happy to talk about the area in which they live.

**Digital and social media:** Full use should be made of digital and social media. Every neighbourhood plan should have a website and email address. Social media is an effective means to disseminating information, encouraging dialogue and targeting different audiences.

**Feedback:** It is essential to provide feedback on community engagement activities at all stages of the plan-making process. It is important to tell people what has been said and to explain how this informs the emerging plan.



## Building the evidence base

### The importance of the evidence base

The National Planning Policy Framework requires neighbourhood plans to be evidence based. Planning policies need to be based on clear rationale and proper understanding of the place they relate to, if they are to be relevant, realistic and to address local issues effectively. The data and analysis about a place is called the evidence base. Unless policy is based on firm evidence and proper community engagement, it is more likely to reflect the assumptions and prejudices of those writing it than to reflect the needs of the wider area and community.

The evidence base needs to be proportionate to the size of the neighbourhood area and scope and detail of the neighbourhood plan. Other factors such as the status of the current and emerging Local Plan policies will influence the depth and breadth of evidence needed. It is important to remember that the evidence base needs to reflect the fact that the plan being produced will have statutory status and be used to decide planning applications in

the neighbourhood area. The evidence base should reflect this. It is necessary to develop a clear understanding of the neighbourhood area and policy issues covered, but not to review every piece of research and data in existence – careful selection is needed. The local planning authority should be able to advise on this.

### The kind of evidence needed

A neighbourhood plan is about the use and development of land, and appropriate evidence on local social, economic and environmental conditions and issues is required.

A good starting point is to look at the socio-economic profile of the local population. Population trends, local employment, industries and social trends should be identified. Predominant land uses in the neighbourhood area may be identified, together with an assessment of the types of housing stock. Other evidence may relate to things like housing, transport, natural environments, built heritage, retail centres, urban design, community facilities and any other subjects relevant to the planning and development of the area.



There are two main stages to building the evidence base. The first of these is to review existing evidence. The second is to identify and develop any further evidence required, either because there is no existing evidence or because there needs to be a clearer focus on the particular neighbourhood.

It is important to remember that the neighbourhood needs to be considered in its wider context. The future prosperity and development of the neighbourhood will depend to a large extent on what happens in the wider area. There needs to be an understanding of that wider context for a neighbourhood plan to be realistic and deliverable. Therefore, evidence is required on the neighbourhood area and the surrounding context.

For example, it makes a huge difference if the neighbourhood is set within an area of potential growth and where pressure for development is high or where it is in an area undergoing long-term economic decline. It could be that in some neighbourhoods 'locals' are being priced out of the market or conversely in low-demand areas there may be problems of poverty and social exclusion, which need to be tackled. The Local Plan in particular should be useful for providing a wider and more strategic context.

### Existing evidence

Existing local planning policy documents should be sought out first. The local planning authority has a legal duty to support those preparing neighbourhood plans, and this should certainly include making available local policy documents and supporting evidence.

The most important of these is the Local Plan (previously referred to as the Local Development Framework). The Core Strategy is the most important part of the Local Plan. This contains the local authority's main strategic planning policies for its area. There may also be a site allocations plan showing where the council would like to see different kinds of development, like new housing and industry. Local Plans may also contain a range of other supplementary documents dealing with different issues and may have area action plans too.

There will be quite a lot of background evidence supporting the Local Plan. This includes the sustainability appraisal accompanying the Local Plan. The emerging neighbourhood plan will need to take this into account. The Local Plan's evidence base will include a strategic housing market assessment, which looks at supply and demand of housing, and a strategic housing land availability assessment, which looks at available sites for new housing development. There may also be reports or analysis on retail centres and their capacity for growth, on local employment, and on the capacity of the area for other kinds of development. There may also be analysis of census data, land viability information, records of environmental designations, flood risk assessments, transport studies and other relevant evidence.

Other local documents may include parish plans, community plans, transport plans, conservation area appraisals, master plans, and regeneration strategies (see worksheet for more suggestions).





### Is there a need to develop new evidence at neighbourhood level?

Existing evidence on many subjects may be sufficient to inform and justify the neighbourhood plan. However, much evidence tends to focus on ward, district or wider areas. Also, there may be gaps in existing evidence or it might be out-of-date. It may therefore be necessary to produce new evidence at neighbourhood level.

Neighbourhood-level evidence could include things like a survey of vacant shop units, local businesses, audits of local community facilities, or urban design analysis (see worksheet for more suggestions). It could also include housing needs assessment specific to the neighbourhood plan area, e.g. to identify housing mix and affordability requirements.

### Getting help

The local authority has a duty to support those producing neighbourhood plans and should be able to provide access to the above data. The local authority should also be able to provide you with contact details for other public agencies that may be able to help, such as transport bodies or the environment agency for flooding issues.

Other organisations that may be able to provide support include local civic societies, community development trusts, chambers of trade or commerce, architecture and urban design centres, local enterprise partnerships, business improvement districts, universities and other public or community bodies. Local libraries, archives and the internet can also be a useful source of information.

Many national and local organisations have useful material on their websites (see later section on 'Sources of Information and Support').

There may also be sources of funding or professional help for neighbourhood planning and your local authority should be able to provide details of these. This could include support from national neighbourhood planning support programmes, such as those run by Locality.

## Background document

It is not necessary to include the evidence base and outcomes of community engagement in the plan itself. To do so would result in a very thick and unwieldy document. Instead, it is suggested that a background document be created, which lists the sources of evidence, contains any new evidence and summarises the outcomes of the community engagement programme at different stages in the plan process. These should be available through the website.

Any criteria used in decision-making should also be made available, such as the criteria used to select sites for housing or other kinds of development. The main advantage of producing a background document is that it would allow the neighbourhood plan itself to focus on the policies and proposals themselves, rather than the process that created them.

The neighbourhood plan may include an overview of evidence and community engagement and explain how they have informed the vision, aims, and policies in the plan. This demonstrates that the plan is based on solid understanding of the area and reflects the views of the wider community.

## Producing the plan

The evidence base and community engagement programme will provide understanding of the area and help to identify key issues and perhaps a vision for the area. These may then be translated into policies and proposals.

This process will require leadership and co-ordination skills. Difficult choices may need to be made. Whilst community engagement should occur throughout the process, and everyone's views need to be considered, some people may be unhappy with the decisions taken. A willingness to make tough decisions, consider trade-offs and make rational judgements is essential to effective neighbourhood planning.

It is important to be transparent at all stages, making clear what decisions have been taken and auditing those decisions and the reasoning behind them.



## Basic conditions

Neighbourhood plans and Neighbourhood Development Orders (including Community Right to Build Orders) must meet certain 'basic conditions' before they can come into force. These will be tested through the independent examination and be checked by the local planning authority before a neighbourhood plan may proceed to referendum.

The basic conditions for neighbourhood plans and Neighbourhood Development Orders are:

- they must have appropriate regard to national policy
- they must contribute to the achievement of sustainable development
- 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.

In order to consider the requirements to be compatible with EU obligations, two further basic conditions are set out in regulations. They are that a plan or order must not have a significant adverse effect on a European site or a European offshore marine site and where a neighbourhood development order proposes certain types of development, an assessment of the effects of the order on the environment must be undertaken and its findings taken into account. The local planning authority should be able to advise on this.

For Neighbourhood Development Orders and Community Right to Build Orders, there is an additional requirement:

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

In addition, both neighbourhood plans and Neighbourhood Development Orders must meet human rights requirements.

Neighbourhood plans are not just restating the council's plan but setting out the community's views on the development and use of land in their neighbourhood. This includes setting policies on where development should go. The basic conditions ensure an appropriate balance between communities being able to take control of the future of their areas, whilst ensuring neighbourhood plans do not inappropriately constrain the delivery of important strategic policies for the local area.



## Setting aims

In setting aims for the plan, it is vital to consider both aspiration and reality for how the area should be in, say, 15 years time (or whatever the period of the plan is), and the likely social, environmental and physical trends affecting the area over that period.

Based on the evidence, consultation feedback and knowledge of the area, a useful approach may be to consider what the neighbourhood's USP (unique selling point) is. This is about identifying those factors that make the area distinctive, attractive and a desirable place to live and work in. Assessment can also be made of the neighbourhood's unrealised potential, such as vacant historic or community buildings, which could be regenerated.

Aims may be designed to address the area's weaknesses, build on its strengths and deal with any other issues identified. A plan could also have an overall vision, if this is thought to be helpful. The vision and aims should be as clear and concise as possible as they will inform the more detailed parts of the plan.

Once the vision and aims have been developed, they should be publicised and subjected to further consultation.

## Developing policy, guidance and proposals

The vision and aims will need to be translated into a practical set of policies, as the means to achieving them.

### Policy and guidance

The policies of a neighbourhood plan and the Local Plan together form the statutory development plan for the area and will be used as a basis for considering planning applications of all kinds. The National Planning Policy Framework will also be an important material consideration.

It is essential to have copies of the existing adopted Local Plan and any emerging local plan policy documents to hand and to refer to them when developing policy. It will also be important to consider how the neighbourhood plan aligns with the policies in the National Planning Policy Framework and the guidance contained in National Planning Practice Guidance. This will ensure that policies at all levels are complementary. The local planning authority must set out what are their strategic local planning policies as part of their duty to support neighbourhood plans.

Policies should be written to give substance to the plan's aims and vision and help local planning authorities make decisions on planning applications in the neighbourhood area. They will need to be written in a concise and unambiguous way in order to give clear guidance to decision makers and those applying for planning permission. There is no need to use jargon or to write in a legalistic way. Indeed, it is better if the policies are written in clear and unambiguous English. Policies may be accompanied by explanatory text or by more detailed guidance to help make their intention clear – ensuring the policies are delivered as the community intended when they wrote them.

Before and during writing policies and guidance, it would be a good idea to meet development management officers from the local authority. They will be the officers that have to use the plan and their views should be helpful in writing clear and effective policies and guidance.

Meeting developers, infrastructure providers and landowners in the neighbourhood area at this early stage can be particularly helpful in clarifying expectations and ambitions, ensuring that key agencies who will be central to delivering the plan's proposals are involved from the outset in its production.

### Infrastructure requirements

A neighbourhood plan can also put forward infrastructure or enhancement requirements for the area, in order to allow sites to be developed. It could include policies relating to the improvement of key public spaces or enhancement of parks and green spaces.

As with other parts of the plan, such proposals would need to relate to the use and development of land, be evidence based and meet the basic conditions. Consideration needs to be made of how proposals would be funded and delivered. This could include funding applications, use of planning gain (Section 106 obligations or the Community Infrastructure Levy), or negotiations with service

providers, such as health bodies or the transport authority. It is essential that any infrastructure requirements are realistic and do not undermine the viability of development sites.

### Site allocations

A decision will need to be taken on whether to include specific site allocations in the neighbourhood plan or other means of defining the area of development such as locational policies or the definition of a growth envelope. This may involve identifying specific sites for new housing, employment development, new community facilities or other kinds of development.

The first step would be to discuss this with the local planning authority, local developers and landowners. The Local Plan should set overall growth allocations for the local area and for different parts of that area. The local planning authority may also have a Site Allocations Plan Development Plan Document. It will be necessary to agree if site allocations are to be made through the neighbourhood plan rather than the local planning authority's Site Allocations Plan and how the allocations made by the different plans will be complementary and distinctive.

The inclusion of site allocations in a neighbourhood plan may make the need for environmental assessment under EU directives more likely. The local planning authority will need to establish a screening process to check emerging neighbourhood plans against EU directives.

If site allocations are to be included in the neighbourhood plan, they will need to be evidence-based. There will need to be a transparent process based on clear planning-focused selection criteria. Decisions should be informed by the local authority's strategic housing market assessment and strategic housing land availability assessment and other relevant evidence. Open discussions with local landowners on site availability and expectations will be necessary.



## Options

In developing aims, policies, proposals or site allocations, different options may be considered and be subjected to consultation to find people's preferences. Options could include things like the sites for new housing, commercial development or community facilities.

A more meaningful response is likely to be gained from workshops, where options can be discussed and examined, rather than from a fast, off-the-cuff response. Indeed, workshops may be a means of generating options. There would then be a need for more general consultation, especially for neighbourhood areas containing larger populations.

In presenting options, it is better to keep them simple and site or subject specific rather than presenting complex sets of options for a range of sites and subjects in an area. The thinking behind each option should be explained fully, preferably with lists of possible advantages and disadvantages. This helps people to make an informed decision.

Consulting on options may not produce any clear preference. Ultimately, it is for those preparing the neighbourhood plan to make rational decisions, exercise judgements and seek to achieve consensus and minimise conflicts. Decisions must be based on a clear rationale.

## Policy themes

The neighbourhood plan can interpret, add detail, clarify expectations or introduce new complementary policies to those already set out in the Local Plan, whilst having regard to the National Planning Policy Framework.

In writing policies for different subject areas, the following may be helpful:

**Employment.** Employment policy may be aspirational in terms of trying to attract better-paid jobs and more prestigious employers. However, it also needs to take account of local skills and the dynamics of the local labour market (e.g. what sort of employer would be attracted to the area now and in the future). The changing nature of employment should be considered. Even in mainly residential areas, employment is an issue. For example, there could be a need for meeting space, hot-desking facilities or faster broadband for people working from home. Encouraging investment in jobs often requires a focus on wider issues such as choice and quality of housing, quality of environment, cultural facilities, telecommunications, infrastructure, branding, image and perceptions. A neighbourhood plan can be an important means to promoting an area and creating investor confidence.

**Town centres and retail.** Where the neighbourhood area includes a city, town or local centre, policies could seek to build on existing strengths and to direct new development into existing centres. There is a need to consider the different dimensions of town and city centres, including retail, leisure, culture, visitor attractions, residents, entertainment and community facilities. A neighbourhood plan could be a means to enabling diversification, recognising the growing importance of non-retail uses as a means to making centres more viable.

**Housing.** Housing policy and guidance could include material on urban design and sustainability. Depending on the Local Plan context and the nature of the area, the

neighbourhood plan could also add further detail compared to the Local Plan on the specific distribution, mix and characteristics of housing development in the neighbourhood area. It would be useful to recognise that successful housing developments rely not just on the houses, but on things like community facilities, public transport and good linkages to surrounding areas. Affordable housing may be addressed, for example, encouraging it to be integrated into developments. Housing development should be about creating distinctive places, not just applying space and highway standards. It is often useful to encourage mixed-use development rather than large single use housing areas, which rely more on travel to make access to employment and community facilities.

**Urban design.** This includes things like:

- townscape characteristics
- enclosure and scale
- ease of movement for pedestrians
- distinctive features like landmarks
- the design and use of key spaces and the public realm
- flexibility and ease of adaptation.

Neighbourhood plans should not impose random stylistic preferences; it is usually best to focus on townscape matters rather than more subjective issues, over which it is often hard to establish any agreement.

**Historic environments.** The special statutory duties that apply to decisions involving listed buildings and conservation areas at the planning application stage will need to be taken into account. Policies need to guide planning applications and applications for listed building consent. At the heart of the Government's approach is developing understanding of the significance of heritage assets as a basis for considering change. The significance of heritage assets needs to be reconciled with other social, economic and environmental concerns, recognising the need for heritage to adapt to changing demands. A neighbourhood plan may highlight the role of heritage in delivering more sustainable forms of economic development and

physical regeneration, for example in areas of decline where historic buildings can provide ideal space for enterprise. Policies on design in historic areas should not be about imposing slavish copying in new development, but use of good townscape principles.

**Transport.** A neighbourhood plan may deal with transport insofar as it relates to new development. It may not deal with things like traffic management of existing networks, unless such management would be necessary to allow development to be approved. Policy on transport should seek to encourage a balanced and sustainable provision. The needs of non-car owners should be addressed. For example, pedestrian convenience and facilities for cyclists should be encouraged. Careful consideration should be given to creating convenient and safe links to surrounding areas. It may be necessary to encourage new roads, bus routes and other links to key development sites to support their development. Car parking needs to be carefully designed and positioned to create a distinctive sense of place and not to dominate the public realm.

**Natural environment.** Policy about the natural environment covers issues such as landscape, biodiversity, geo-diversity, trees, allotments, parks and open spaces (green infrastructure). It is useful to recognise the benefits the natural environment provides, for example, in mitigating the impacts of climate change, alleviating flooding, improving air quality and providing space for recreation. Important natural environment assets may be identified, such as valued local green spaces. You could also consider where there may be opportunities to enhance the natural environment and create things like wildlife habitats, new tree planting or spaces for community food-growing initiatives.

**Other themes.** There are also other themes with land-use implications, such as health, sustainability, social care, cultural development and education. The neighbourhood plan may only deal with planning aspects. For example, it could not take decisions on which schools would expand. However, it could allocate land to allow a school to expand, in liaison with the education provider.







## Achieving sustainable development

One of the basic conditions underlying a neighbourhood plan (or Neighbourhood Order or Community Right to Build Order) should be that it contributes to the achievement of sustainable development. The Government's approach to sustainable development is set out in the National Planning Policy Framework. Essentially, it is about enabling growth to cater for the needs of current generations, but ensuring that growth doesn't mean worse lives for future generations.

There are many ways in which a neighbourhood plan can address sustainable development. Some examples are:

- encouraging and requiring mixed transport provision, including accessible public transport, cycle facilities and safe and convenient pedestrian routes
- encouraging mixed-use areas, thereby reducing the need for travel
- ensuring a good mix of community facilities in walking distance where possible
- encouraging facilities to support and encourage home working
- requiring good urban design, creating safe, overlooked, attractive, convenient, well-connected streets and spaces
- ensuring new development enhances the viability of city, town, village and local centres
- enabling provision of varied local employment opportunities at a sustainable wage
- requiring provision of a good mix of housing types, based on meeting local need
- considering the protection and enhancement of wildlife areas and measures to support bio-diversity
- encouraging and enabling the reuse and refurbishment of existing buildings
- ensuring development incorporates facilities to encourage recycling, water collection, local energy generation, etc.
- ensuring works to improve the performance of traditional buildings are compatible with their building technology (the need for walls to breathe)
- prioritising brown field sites
- conserving historic buildings and environments and ensuring they remain in productive use and contribute to wider planning goals.

These are just a few examples, but they give a flavour to the diverse ways in which sustainability could be addressed. Things like energy efficient construction are largely covered by building regulations, but may be encouraged in planning policy and guidance.



## **Environmental Assessments, Habitats Regulations Assessments and Human Rights**

Neighbourhood plans must not breach and must be compatible with EU obligations. The National Planning Policy Framework makes clear that a sustainability appraisal should be an integral part of the plan preparation process, but the particular assessment requirements need to respond to the scale, status and scope of the plan being developed.

It is not the case that every neighbourhood plan will need an environmental assessment of the type normally required when preparing Local Plans. Strategic Environmental Assessment

(SEA) may be required for neighbourhood plans, where they are likely to cause significant environment effects. More ambitious and complex neighbourhood plans may also trigger the Habitats Directive. Such plans may need to undertake additional procedures and assessment reflecting the impact of the plan proposals. It is a requirement that all neighbourhood plans submitted for examination be accompanied by either an SEA report or a screening determination stating that the plan would not have significant environmental effects and does not require an environmental assessment, giving the reasons for that determination.

Local authorities should screen emerging neighbourhood plan proposals, preferably at

an early stage, to ascertain whether they are likely to trigger any EU directives. Identifying a need for SEA at an early stage, or determining that it is not required, helps the community and local authority to deal with the issue in the most efficient way. The local planning authority should be able to advise and assist under its duty to support neighbourhood plans, alongside national bodies like Historic England, Natural England and the Environment Agency.

The regulations require that a plan or order must not have a significant adverse effect on a European site or a European offshore marine site. Also, where a Neighbourhood Development Order proposes certain types of development an assessment of the effects of the order on the environment must be undertaken and its findings taken into account. Again the local planning authority should be able to advise on this.

If an environmental assessment is found to be required, the gathering of evidence for its preparation can be integrated into the process of producing the neighbourhood plan. This is why early screening of a plan proposal is desirable. This could take place as soon as there is clarity on the purpose of policies, the means of specifying where growth will be allowed (for example site allocations or village envelope) and the level of growth enabled by the plan.

Even where there is no need to undertake formal environmental assessment under EU directives, it is good practice to prepare a statement setting out how environmental issues have been taken into account and considered during the preparation of the neighbourhood plan. This could be submitted to the local planning authority with the proposed neighbourhood plan as part of the basic conditions statement (see later section on 'Submission of the Plan to the Local Planning Authority').

Neighbourhood plans must be compatible with human rights law. A useful approach to assessing impact on human rights is to undertake an equalities impact assessment.

## Use of consultants

It may be useful to bring in consultants or other outside support to assist in things like drafting planning policies, analysis of evidence, or to check that the neighbourhood plan will pass independent examination and be likely to be effective in use. Consultants can also help with technical reports or undertaking environmental assessments. To keep costs down the work required should be clearly defined and limited only to the tasks that can't be done without such support.



## Bringing the plan into force

### Pre-submission consultation

The neighbourhood planning Regulations (Regulation 14) require the draft plan proposal to be the subject of a six-week consultation before it is submitted to the local authority for independent examination. The requirement includes the following:

- Publicise the plan in a manner which brings it to the attention of the people who live, work or run businesses in the neighbourhood area – this should include details of:
  - the proposed neighbourhood plan
  - of where and when it may be viewed
  - on how to make comments on the plan and the date by which comments must be received (at least six weeks from the date on which it was first publicised)
- Consult statutory consultation bodies whose interests may be affected by the plan
  - the local council should be able to advise on this, but it includes the county council (if applicable), the Environment Agency, Natural England and Historic England
- Send a copy of the proposed plan to the local authority.

It is also advisable to consult any neighbouring local, town or parish councils, significant landowners, local businesses and local community organisations, such as chambers of commerce, civic societies and local trusts.

Many people will not want to read through the whole document, so it is useful to produce a simple leaflet or display boards that set out the main aims and main focus of the policies in the plan. Drop-in centres may be a useful means of allowing people to ask questions or discuss the plan on a one-to-one basis. The draft plan proposal should be uploaded to the neighbourhood plan website. Printed copies should be made available at convenient locations, such as libraries, community centres, council offices and other key public buildings. Copies should be available to send to people who can't access digital or displayed copies.

## Modifications

Any comments received by the end of the consultation period should be considered conscientiously by the neighbourhood planning body. A decision will need to be made over whether or not to amend the neighbourhood plan. These decisions and the reasoning behind them should be recorded, as this information will need to be incorporated into the Consultation Statement (see later section).

A brief report should be produced, summarising comments received and describing if and how the plan has been modified in response to the issues raised.

## Submission of the plan to the local planning authority

Following the making of any modifications, the draft neighbourhood plan proposal is submitted to the local planning authority. Prior to the submission of a plan to a local planning authority, it makes sense for the town or parish council or neighbourhood forum to discuss with the local planning authority any concerns they have about whether the draft version of the plan meets the basic conditions.

On receiving the submitted plan proposal and supporting documents, the local authority is responsible for checking that the submitted neighbourhood plan has followed the proper legal process, such as the neighbourhood area being designated and the legal requirements for consultation and publicity having been followed. The local authority is then responsible for publicising the plan, arranging for the independent examination and arranging for the referendum to take place.

### What needs to be submitted?

The neighbourhood plan submission to the local planning authority must include the following:

- a map or statement, which identifies the area to which the plan relates (a map makes more sense than a statement!)
- a consultation statement (see later section)
- the neighbourhood plan proposal
- a statement on how the plan fulfils the basic conditions (see previous section on the 'basic conditions' and later section on 'the basic conditions Statement').

### **The consultation statement**

The focus of the consultation statement is on the six-week statutory consultation. However, it is also useful to include a summary of previous community engagement and consultation that has been undertaken, the main outcomes and how this informed the content of the plan.

The consultation statement should contain the following:

- details of people and organisations consulted about the proposed neighbourhood plan
- details of how they were consulted
- a summary of the main issues and concerns raised through the consultation process
- descriptions of how these issues and concerns were considered and addressed in the proposed neighbourhood plan.

Essentially, this is about demonstrating that there has been proper community engagement and that it has informed the content of the plan. It also makes it clear and transparent that the body producing the plan have sought to address the issues raised during the consultation process.

### **The basic conditions statement**

The basic conditions statement needs to demonstrate how the neighbourhood plan proposal meets each of the basic conditions (see earlier section on the basic conditions). This provides a useful opportunity to the neighbourhood planning body to explain to the independent examiner how the basic conditions have been considered and how the plan meets their requirements.

In addition the basic conditions statement needs to confirm that the plan meets other legal requirements, as follows:

- the draft plan is being submitted by a qualifying body (as defined by the Act)
- what is being proposed is a neighbourhood plan (as defined in the Act)
- the proposed NDP states the period for which it is to have effect
- confirmation that the policies do not relate to 'excluded development'
- confirmation that the proposed neighbourhood plan does not relate to more than one neighbourhood area
- confirmation that there are no other neighbourhood plans place within the neighbourhood area.

It might be sensible to include supporting material such as the applications and designations of the neighbourhood area (and forum where relevant) and any evidence that supports the proposed neighbourhood plan and basic conditions statement.





## Publicity

The plan must be publicised for a six-week period (Regulation 16). This should not be confused with the earlier pre-submission consultation (Regulation 14). The local planning authority will also notify anyone referred to in the consultation statement that the plan has been received. The pre-submission consultation will have been the responsibility of the neighbourhood planning body and will allow anyone to comment on any aspect of the plan. The publicity period after the submission of the plan is different. Any representations made at this stage will be passed to the independent examiner and will only be considered within the context of the independent examination (i.e. whether the neighbourhood plan proposal meets the basic conditions – see previous section).

## Neighbourhood Development Orders

If a Neighbourhood Development Order or Community Right to Build Order is being proposed then it would be useful for them to be submitted to the local planning authority at the same time as the proposed neighbourhood plan. This allows them to be dealt with concurrently at the examination and referendum stages.

## The independent examination

The local authority will appoint an appropriately qualified and experienced person to carry out the independent examination of the neighbourhood plan, known as the 'independent examiner'. This appointment has to be agreed with the neighbourhood planning body that submitted the neighbourhood plan to the local authority.

The local authority will send to the independent examiner the plan and supporting information and also a copy of any comments received during the publicity period. The independent examiner will take these comments into account insofar as they relate to the remit of the independent examination.

Normally, the independent examination will be conducted by written representations. However, if it is considered necessary, the examiner may invite interested parties to a public hearing to present their comments. This might be necessary to examine an issue in more depth or to ensure fairness.

The independent examiner will only consider whether the proposed neighbourhood plan meets the basic conditions and other requirements set out by law (they are not permitted to explore other considerations).

The examiner will be considering whether the plan:

- has appropriate regard to national policy
- contributes to the achievement of sustainable development
- is in general conformity with the strategic policies in the development plan for the local area
- is compatible with EU obligations
- meets human rights requirements.

Where Neighbourhood Development Orders and Community Right to Build Orders are also being examined, there is an additional requirement to consider whether they have regard to the protection and enhancement of listed buildings and conservation areas

The independent examiner may request further information if they think the plan may transgress European directives.

Following the examination, the examiner will issue a report to the local authority and the neighbourhood planning body. If the plan meets the basic conditions, the examiner will recommend that the plan proceed to the referendum stage. They may suggest modifications that are needed to be made to the plan, to ensure that it meets the basic conditions, before it can proceed to the referendum. It is the responsibility of the local authority to make such modifications. The examiner may conclude that the plan does not meet the basic conditions and that modification to make it meet the basic conditions is not possible. In that situation the examiner would recommend that the plan does not proceed to the referendum. If the plan can proceed to referendum (with or without modifications) the examiner will be required to advise the authority on the referendum voting area. This may include people beyond the boundary of the neighbourhood area.

It is the responsibility of the local authority to cover the costs of the independent examination and referendum.

If the independent examiner recommends that the plan does not proceed to a referendum, it will be necessary to consider the reasons behind that recommendation and to consider whether the plan can be amended. This should be discussed with the local planning authority. It may also be necessary to consult again with local partners or stakeholders.

## Modifications

If the local planning authority can make modifications to a neighbourhood plan that will ensure it meets the basic conditions and can proceed to referendum then they are required to make those modifications. They will take account of the independent examiner's report, but its recommendations are not binding (though clear reasons would need to be given for departing from it).

Modifications should be discussed with the neighbourhood planning body to ensure consensus. The neighbourhood planning body has the option of withdrawing the plan if it is unhappy with the changes being made by the local planning authority. As soon as possible after modifying the plan, the local planning authority must publicise details of the modification(s) and where it can be inspected on their website.

## Referendum

If the neighbourhood plan is found to be satisfactory, with modifications if necessary, then the local authority will arrange for the referendum to take place. This will be organised by the elections unit and 28 working days before the date of the referendum, the local authority is required to publish information about the neighbourhood plan. Then 25 working days before the date of the referendum, they are required to give notice that a referendum is taking place and the date of the poll.

The neighbourhood planning body may encourage voting and disseminate information on the proposed neighbourhood plan, within reasonable expense limits. Public money and parish councils can only produce factual material about the neighbourhood plan, not promote a 'yes' vote. However, members of the parish council and others may act independently, using independent funds, to campaign for a 'yes' vote.







The question that will be asked is as follows:

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

People on the electoral register will be entitled to vote in the referendum. In business areas, there will be two referendums – one for residents and one for non-domestic ratepayers.

If more than 50% of those voting in the referendum vote 'yes', then the local planning authority is required to bring the plan into force. Where there is business area, a 'yes' vote will also be required in the business referendum. If there is a different result from the business referendum and the residents' referendum, the local planning authority will decide whether to bring the plan into force.

## Delivery

Once a neighbourhood plan is brought into legal force, it forms part of the statutory Development Plan for that area. Consequently, decisions on whether or not to grant planning permission in the neighbourhood area will need to be made in accordance with the neighbourhood plan (as part of the statutory development plan), unless material considerations indicate otherwise. Having a plan in place is just part of the story – just as important is seeing those ambitions materialise as real changes on the ground.

Having a plan and waiting for development is one thing, but elements of the plan may need active interventions on the part of the community, the local planning authority, other organisations and other key stakeholders. In both areas of high growth and deprivation, there may be some kinds of development that the market is unable or unlikely to deliver. Community-led development may be the solution in such instances.

It is important to note that neighbourhood forums exist to produce neighbourhood plans and have a designation of five years only. They do not have a formal role in the implementation of a neighbourhood plan. The members of a neighbourhood forum may want to consider how they can stay involved and support implementation, perhaps through the creation of another type of formal group.

## Using the worksheets

A set of worksheets supplements the main part of this Guide, providing additional detail. Each sheet sets out key tasks to be undertaken and helpful checklists.

The worksheets can be found on the mycommunity website at [mycommunity.org.uk/resources/neighbourhood-planning-roadmap](https://mycommunity.org.uk/resources/neighbourhood-planning-roadmap)

### Subjects covered

1. Making the decision to prepare a neighbourhood plan
2. Publicity and partnerships
3. Neighbourhood areas
4. Neighbourhood forums
5. Community engagement and consultation
6. Building the evidence base
7. Writing the neighbourhood plan
8. Submitting the neighbourhood plan
9. Delivery of the neighbourhood plan

In addition, an information sheet is included, with details of other guidance and toolkits that are available.

# Sources of information and support





## Policy and advice

National Planning Policy Framework – [planningguidance.communities.gov.uk/blog/policy](https://planningguidance.communities.gov.uk/blog/policy)

National Planning Practice Guidance – [planningguidance.communities.gov.uk](https://planningguidance.communities.gov.uk)

My Community – [mycommunity.org.uk](https://mycommunity.org.uk)

Placecheck – [placecheck.info](https://placecheck.info)

Historic Environment Local Management – [helm.org.uk](https://helm.org.uk)

Building for Life 12 – [designcouncil.org.uk/resources/guide/building-life-12-third-edition](https://designcouncil.org.uk/resources/guide/building-life-12-third-edition)

## Organisations

Locality – [locality.org.uk](https://locality.org.uk)

Urban Vision Enterprise CIC – [uvns.org](https://uvns.org)

Civic Voice – [civicvoice.org.uk](https://civicvoice.org.uk)

Community Matters – [communitymatters.org.uk](https://communitymatters.org.uk)

The Planning Portal – [planningportal.gov.uk](https://planningportal.gov.uk)

RTPI/Planning Aid – [rtpi.org.uk/planningaid](https://rtpi.org.uk/planningaid)

Institute of Historic Building Conservation – [ihbc.org.uk](https://ihbc.org.uk)

Design Council CABE – [designcouncil.org.uk/our-work/cabe](https://designcouncil.org.uk/our-work/cabe)

Historic England – [historicengland.org.uk](https://historicengland.org.uk)

Natural England – [naturalengland.org.uk](https://naturalengland.org.uk)

National Planning Forum – [natplanforum.org.uk](https://natplanforum.org.uk)

Historic Towns Forum – [historictownsforum.org.uk](https://historictownsforum.org.uk)

National Association of Local Councils – [nalc.org.uk](https://nalc.org.uk)

Campaign for the Protection of Rural England – [cpre.org.uk](https://cpre.org.uk)

National Council of Voluntary Organisations – [ncvo-vol.org.uk](https://ncvo-vol.org.uk)

The Environment Agency – [environment-agency.gov.uk](https://environment-agency.gov.uk)

Planning Advisory Service – [pas.gov.uk](https://pas.gov.uk)

The Glass-House – [theglasshouse.org.uk](https://theglasshouse.org.uk)

Communityplanning.net – [communityplanning.net](https://communityplanning.net)

Princes Foundation for Building Community – [princes-foundation.org](https://princes-foundation.org)

Action with Communities in Rural England – [acre.org.uk](https://acre.org.uk)

# Glossary of planning terms

**ADOPTION** – The final confirmation of a development plan by a local planning authority.

**ADVERTISEMENT CONSENT** – A type of consent required for certain kinds of advertisements, such as shop signs and hoardings. Some advertisements are allowed without the need for an application by the Town and Country Planning (Control of Advertisement) (England) Regulation 2007.

**AFFORDABLE HOUSING** – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

**ANNUAL MONITORING REPORT** – A report that allows the Local Authority to assess the extent to which policies and proposals set out in all the local development documents are being achieved.

**APPEAL** – The process by which a planning applicant can challenge a planning decision that has been refused or had conditions imposed.

**AREA ACTION PLAN** – A document forming part of the Local Plan containing proposals for a specific defined area.

**AREA OF OUTSTANDING NATURAL BEAUTY (AONB)** – A formal designation of an area where planning control is based on the protection and enhancement of the natural beauty of the area.

**ARTICLE 4 DIRECTION** – A direction restricting permitted development rights within a specified area. They are often used in conservation areas to provide protection for things like windows, doors, chimneys, etc.

**BANANA** – An extreme kind of NIMBY - Build Absolutely Nothing Anywhere Near Anyone.

**BIODIVERSITY** – The degree of variation of life forms within a particular ecosystem. Biodiversity is a measure of the health of an ecosystem. Human activity generally tends to reduce biodiversity, so special measures often need to be taken to offset the impact of development on natural habitats.

**BROWNFIELD LAND** – Land that has been previously developed.

**BUILDING FOR LIFE** – A technique for assessing the quality of housing proposals using 20 criteria including sustainability, urban design and social/community factors.

**BUILDINGS AT RISK** – A term used to describe historic buildings that are vacant and/or in poor condition. Some local authorities have buildings at risk surveys.

**BUSINESS AREA** – An area covered by a neighbourhood plan which is wholly or predominantly business in nature. The designation of a business area allows businesses to vote in the referendum, in addition to those living in the area.

**CALL IN** – A discretionary power of the Secretary of State for Communities and Local Government to 'call in' certain planning applications and subject them to a public inquiry if the granting of planning permission may substantially conflict with the National Planning Policy Framework or with adopted local planning policy.

**CAPACITY BUILDING** – Training, education and awareness-raising initiatives, often used as part of community engagement initiatives, to inform people about things like neighbourhood planning and related issues.

**CASE LAW** – Decisions by the courts on the interpretation of legislation.

**CATCHMENT AREA** – The area from which most of the people using/visiting a city/town centre or other attraction would travel.

**CENTRAL BUSINESS DISTRICT** – The centre of a city, especially the part where office buildings are focused.

**CERTIFICATE OF LAWFULNESS** – A certificate that can be obtained from the local planning authority to confirm that existing development is lawful.

**CHANGE OF USE** – A material change in the use of land or buildings that is of significance for planning purposes e.g. from Retail to Residential.

**CHARACTER APPRAISAL** – An appraisal, usually of the historic character of conservation areas or other historic areas, such as terraced housing.

**CLONE TOWNS** – A term coined by the New Economics Foundation in 2004 for towns whose high streets are dominated by chain stores and where the locally distinctive character of the centre has been adversely affected.

**COMMUNITY** – A group of people that who hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

**COMMUNITY ENGAGEMENT AND INVOLVEMENT** – Involving the local community in the decisions that are made regarding their area.

**COMMUNITY INFRASTRUCTURE LEVY** – Allows local authorities to raise funds from developers undertaking new building projects in their areas. Money can be used to fund a wide range of infrastructure such as transport schemes, schools and leisure centres.

**COMMUNITY PLAN** – A plan produced by a local authority-led partnership to improve the quality of life of people living and working in an area. Community plans take a wide view and cover social and economic issues which development plans, including neighbourhood plans, do not normally address.

**COMMUNITY PROFILING** – Gathering statistical data on the community, e.g. population size, income which helps build up a 'social profile' of the community.

**COMMUNITY RIGHT TO BID** – Aims to give community groups the time to develop bids and raise money to buy public assets that come onto the open market.

**COMMUNITY RIGHT TO BUILD** – Allows local people to drive forward new developments in their area where the benefits (e.g. profits from letting homes) could stay within the community. These developments must meet minimum criteria and have local support demonstrated through a referendum.

**COMMUNITY RIGHT TO CHALLENGE** – Gives voluntary and community groups the right to express an interest in taking over the running of a local service.

**COMPULSORY PURCHASE** – A legal process initiated by a local authority to acquire privately owned land in order to implement public policy without the agreement of the owner.

**CONDITIONS** – Planning conditions are provisions attached to the granting of planning permission.

**CONFORMITY** – There is a requirement for neighbourhood plans to have appropriate regard to national policy and to be in conformity with local policy.

**CONSERVATION AREA** – An area of special architectural or historic interest, the character and appearance of which are preserved and enhanced by local planning policies and guidance.

**CONSERVATION AREA CONSENT** – Consent needed for the demolition of unlisted buildings in a conservation area.

**CONSULTATION** – A communication process with the local community that informs planning decision-making

**CORE STRATEGY** – A development plan document forming part of a local authority's Local Plan, which sets out a vision and core policies for the development of an area.

**DELIVERY VEHICLE** – The means of making things happen. It could refer to a partnership or a community development trust or other arrangement designed to make projects happen.

**DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT** – Government department that has responsibility for areas such as local government, housing, planning, community cohesion, empowerment and regeneration.

**DESIGN AND ACCESS STATEMENT** – A short report accompanying a planning permission application. Describes design principles of a development such as layout, townscape characteristics, scale, landscape design and appearance.

**DEVELOPMENT** – Legal definition is "the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land."

**DEVELOPMENT BRIEF** – Guidance on how a site or are should be developed in terms of uses, design, linkages, conservation, etc.

**DEVELOPMENT CONTROL (also Development Management)** – The process of administering and making decisions on different kinds of planning applications.

**DEVELOPMENT PLAN** – A document setting out the local planning authority's policies and proposals for the development and use of land in the area.

**DUTY TO CO-OPERATE** – A requirement introduced by the Localism Act 2011 for local authorities to work together in dealing with cross-boundary issues such as public transport, housing allocations or large retail parks.

**ECONOMIC DEVELOPMENT** – Improvement of an area's economy through investment, development, job creation, and other measures.



**ENFORCEMENT** – Enforcement of planning control ensures that terms and conditions of planning decisions are carried out.

**ENFORCEMENT NOTICE** – A legal notice served by the local planning authority requiring specified breaches of planning control to be corrected.

**ENVIRONMENTAL IMPACT ASSESSMENT** – Evaluates the likely environmental impacts of the development, together with an assessment of how these impacts could be reduced.

**ENTERPRISE ZONE** – A defined area in which there are simplified planning controls and financial incentives aimed at attracting development.

**EVIDENCE BASE** – The evidence upon which a development plan is based, principally the background facts and statistics about an area, and the views of stakeholders.

**FLOOD PLAIN** – An area prone to flooding.

**FRONT LOADING** – An approach to community engagement in which communities are consulted at the start of the planning process before any proposals have been produced.

**FRONT RUNNERS** – A mix of urban and rural communities, selected and sponsored by government, that are spearheading neighbourhood planning.

**GENERAL (PERMITTED DEVELOPMENT) ORDER** – The Town and Country Planning General (Permitted Development) Order is a statutory document that allows specified minor kinds of development (such as small house extensions) to be undertaken without formal planning permission.

**GENERAL POWER OF COMPETENCE** – A power conveyed by the Localism Act 2011 to give local authorities the ability to undertake any action in the best interest of their communities unless it is against the law.

**GREEN BELT** – A designated band of land around urban areas, designed to contain urban sprawl.

**GREENFIELD SITE** – Land where there has been no previous development

**GREEN INFRASTRUCTURE** – Landscape, biodiversity, trees, allotments, parks, open spaces and other natural assets.

**GREEN SPACE** – Those parts of an area which are occupied by natural, designed or agricultural landscape as opposed to built development; open space, parkland, woodland, sports fields, gardens, allotments, and the like.

**GREEN TRAVEL PLAN** – A package of actions produced by a workplace or an organisation setting out how employees, users or visitors will travel to the place in question using options that are healthy, safe and sustainable, and reduce the use of the private car.

**HIGHWAY AUTHORITY** – The body with legal responsibility for the management and maintenance of public roads. In the UK the highway authority is usually the county council or the unitary authority for a particular area, which can delegate some functions to the district council.

**HISTORIC PARKS AND GARDENS REGISTER** – The national register managed by English Heritage which provides a listing and classification system for historic parks and gardens.

**HOUSING ASSOCIATIONS** – Not-for-profit organisations providing homes mainly to those in housing need.

**INDEPENDENT EXAMINATION** – An examination of a proposed neighbourhood plan, carried out by an independent person, set up to consider whether a neighbourhood plan meets the basic conditions required.

**INFRASTRUCTURE** – Basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.

**INQUIRY** – A hearing by a planning inspector into a planning matter such as a Local Plan or appeal.

**JUDICIAL REVIEW** – Legal challenge of a planning decision, to consider whether it has been made in a proper and lawful manner.

**LEGISLATION** – The Acts of Parliament, regulations, and statutory instruments which provide the legal framework within which public law is administered.

**LISTED BUILDINGS** – Any building or structure which is included in the statutory list of buildings of special architectural or historic interest.

**LISTED BUILDING CONSENT** – The formal approval which gives consent to carry out work affecting the special architectural or historic interest of a listed building.

**LOCALISM** – Shifting power away from central government control to the local level. Making services more locally accountable, devolving more power to local communities, individuals and councils

**LOCAL DEVELOPMENT FRAMEWORK (LDF)** – see Local Plan.

**LOCAL AUTHORITY** – The administrative body that governs local services such as education, planning and social services.

**LOCAL DEVELOPMENT ORDER** – Local Development Orders allow planning authorities to implement policies in their development plan by granting planning permission for a particular development or for a particular class of development.

**LOCAL ENTERPRISE PARTNERSHIPS** – A partnership between local authorities and businesses formed in 2011 to help determine local economic priorities and lead economic growth and job creation within its local area.

**LOCAL LIST** – A list produced by a local authority to identify buildings and structures of special local interest which are not included in the statutory list of listed buildings.

**LOCAL PLAN** – The name for the collection of documents prepared by your local planning authority for the use and development of land and for changes to the transport system. Can contain documents such as development plans and statements of community involvement.

**LOCAL PLANNING AUTHORITY** – Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, a county council, a unitary authority or national park authority.

**LOCAL REFERENDUM** – A direct vote in which communities will be asked to either accept or reject a particular proposal.

**LOCAL TRANSPORT PLAN** – Plans that set out a local authority's policies on transport on a five yearly basis.

**MATERIAL CONSIDERATIONS** – Factors which are relevant in the making of planning decisions, such as sustainability, impact on residential amenity, design and traffic impacts.

**MICRO-GENERATION** – The small-scale generation of renewable energy usually consumed on the site where it is produced.

**MINERALS PLAN** – A statement of the policy, advice and guidance provided by local authorities regarding the extraction of minerals.

**MIXED USE** – The development of a single building or site with two or more complementary uses.

**NATIONALLY SIGNIFICANT INFRASTRUCTURE** – Major infrastructure developments such as power plants, airports, railways, major roads, etc.

**NATIONAL PARK** – An area of natural or semi-natural land designated in order to maintain the special ecological, geomorphological or aesthetic features of the area.

**NATIONAL PLANNING POLICY FRAMEWORK** – The government policy document adopted in March 2012 intended to make national planning policy and guidance less complex and more accessible. The National Planning Policy Framework introduces a presumption in favour of sustainable development. It gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

**NEIGHBOURHOOD AREA** – The local area in which a neighbourhood plan or Neighbourhood Development Order can be introduced.

**NEIGHBOURHOOD DEVELOPMENT ORDER** – An order introduced by a parish or town council, or a neighbourhood forum, as part of the neighbourhood planning process, which grants planning permission for

a specific development or type of development that will fulfill the vision and policies of the neighbourhood plan for the neighbourhood area.

**NEIGHBOURHOOD PLAN** – A planning document created by a parish or town council or a neighbourhood forum, which sets out vision for the neighbourhood area, and contains policies for the development and use of land in the area. Neighbourhood plans must be subjected to an independent examination to confirm that they meet legal requirements, and then to a local referendum. If approved by a majority vote of the local community, the neighbourhood plan will then form part of the statutory development plan.

**NEIGHBOURHOOD FORUM** – Designated by the local authority in non-parished areas, an organisation established for the purpose of neighbourhood planning to further the social, economic and environmental well being of the neighbourhood area. There can only be one forum in an area.

**NEIGHBOURHOOD PLANNING** – A community-initiated process in which people get together through a local forum or parish or town council and produce a plan for their neighbourhood setting out policies and proposals for the development they wish to see in their area.

**NIGHTTIME ECONOMY** – The network of economic activities which operate in cities and towns principally in the evenings and at night, such as theatres, restaurants, cinemas, nightclubs, and public houses.

**NIMBY** – 'Not In My Back Yard' – used when discussing planning issues. Term is used to define the opposition of residents who are against new developments that they believe will devalue their properties.

**NON-DETERMINATION** – When a planning application is submitted and the local authority fails to give a decision on it within the defined statutory period.

**OPERATIONAL DEVELOPMENT** – The carrying out of building, engineering, mining or other operations in, on over, or under land; part of the statutory definition of development (the other part being material changes of use of buildings or land).

**PERMITTED DEVELOPMENT** – Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

**POLICY** – A concise statement of the principles that a particular kind of development proposal should satisfy in order to obtain planning permission.

**PARISH PLAN** – A plan produced by a parish council that sets out a vision for the future of a parish community and outlines how that can be achieved in an action plan.

**PARKING STANDARDS** – The requirements of a local authority in respect of the level of car parking provided for different kinds of development.

**PLAN-LED** – A system of planning which is organised around the implementation of an adopted plan, as opposed to an ad hoc approach to planning in which each case is judged on its own merits.

**PLANNING GAIN** – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either through Section 106 Planning Obligations or the setting of a Community Infrastructure Levy.

**PLANNING INSPECTORATE** – The government body established to provide an independent judgment on planning decisions which are taken to appeal.

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990** – The primary piece of legislation covering listed buildings and conservation areas.

**PLANNING OBLIGATION** – Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

**PLANNING PERMISSION** – Formal approval granted by a council allowing a proposed development to proceed.

**PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT** – The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the ‘golden thread running through both plan making and decision taking’. The NPPF gives five guiding principles of sustainable development: living within the planet’s means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

**PUBLIC INQUIRY** – See Inquiry.

**PUBLIC OPEN SPACE** – Open space to which the public has free access.

**PUBLIC REALM** – Areas of space usually in town and city centres where the public can circulate freely, including streets, parks and public squares.

**QUALIFYING BODY** – Either a parish/town council or neighbourhood forum, which can initiate the process of neighbourhood planning.

**REFERENDUM** – A vote by the eligible population of an electoral area may decide on a matter of public policy. Neighbourhood plans and Neighbourhood Development Orders are made by a referendum of the eligible voters within a neighbourhood area.

**REGENERATION** – Upgrading an area through social, physical and economic improvements.

**RETAIL** – The process of selling single or small numbers of items directly and in person to customers. The use category defined as Class A1 in the Town and Country Planning (Use Classes) Order 1987.

**RURAL** – Areas of land which are generally not urbanised; usually with low population densities and a high proportion of land devoted to agriculture.

**SCHEDULED ANCIENT MONUMENT** – A nationally important archaeological site, building or structure which is protected against unauthorised change by the Ancient Monuments and Archaeological Areas Act 1979.

**SECTION 106** – see Planning Obligation.

**SEQUENTIAL TEST** – A principle for making a planning decision based on developing certain sites or types of land before others, for example, developing brownfield land before greenfield sites, or developing sites within town centres before sites outside town centres.

**SETTING** – The immediate context in which a building is situated, for example, the setting of a listed building could include neighbouring land or development with which it is historically associated, or the surrounding townscape of which it forms a part.

**SIGNIFICANCE** – The qualities and characteristics which define the special interest of a historic building or area.

**SITE ALLOCATION PLAN** – A plan accompanying a planning policy document or statement which identifies sites within the plan area on which certain kinds of development are proposed, e.g. residential or retail development.

**SITE OF SPECIAL SCIENTIFIC INTEREST** – A protected area designated as being of special interest by virtue of its flora, fauna, geological or geomorphological features. SSSIs are designated under the Wildlife and Countryside Act 1981 by the official nature conservation body for the particular part of the UK in question.

**SOCIAL ENTERPRISE** – A business that trades primarily to achieve social aims, whilst making a profit.

**SOUNDNESS** – The soundness of a statutory local planning document is determined by the planning inspector against three criteria: whether the plan is justified, whether it is effective, and whether it is consistent with national and local planning policy. Plans found to be unsound cannot be adopted by the local planning authority. It should be noted, neighbourhood plans are NOT required to meet these tests of soundness.

**SPACE STANDARDS** – Quantified dimensions set down by a local planning authority to determine whether a particular development proposal provides enough space around it so as not to affect the amenity of existing neighbouring developments. Space standards can also apply to garden areas.



**SPATIAL PLANNING** – A wider view of planning, which involves co-ordination and integration across different sectors such as transport and industry. Brings together all policies and programmes which have an impact on the environment in which you work, live or play.

**STAKEHOLDERS** – People who have an interest in an organisation or process including residents, business owners and government.

**STATEMENT OF COMMUNITY INVOLVEMENT** – A formal statement of the process of community consultation undertaken in the preparation of a statutory plan.

**STATUTORY UNDERTAKER** – An agency or company with legal rights to carry out certain developments and highway works. Such bodies include utility companies, telecom companies, and nationalised companies. Statutory undertakers are exempt from planning permission for many minor developments and highway works they carry out.

**STRATEGIC ENVIRONMENTAL IMPACT ASSESSMENT** – Environmental assessment as applied to policies, plans and programmes. Has been in place since the European SEA directive (2001/42/EC).

**SUSTAINABILITY APPRAISAL** – An assessment of the environmental, social and economic impacts of a Local Plan from the outset of the preparation process to check that the plan accords with the principles of sustainable development.

**STATUTORY DEVELOPMENT PLAN** – Focus on land use development set within the context of wider social, economic and environmental trends and considerations. Reflects national planning policies to make provisions for the long-term use of land and buildings.

**STRATEGIC PLANNING** – The overall vision and policies for the planning system in an area. Lays out what an area wants development to accomplish.

**STRATEGIC POLICY** – A policy that is essential for the delivery of a strategy, for example, the overall scale and distribution of housing and employment in an area.

**SUPPLEMENTARY PLANNING DOCUMENT** – Provides detailed thematic or site-specific guidance explaining or supporting the policies in the Local Plan.

**SUSTAINABLE DEVELOPMENT** – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that “meets the needs of the present without compromising the ability of future generations to meet their own needs”.

**TOWN AND COUNTRY PLANNING ACT 1990** – Currently the main planning legislation for England and Wales is consolidated in the Town and Country Planning Act 1990; this is regarded as the ‘principal act’.

**TOWNSCAPE** – The pattern and form of urban development; the configuration of built forms, streets and spaces.

**TENURE** – The terms and conditions under which land or property is held or occupied, e.g. five year leasehold, freehold owner occupation, etc.

**TREE PRESERVATION ORDER** – An order made by a local planning authority to protect a specific tree, a group of trees or woodland. TPOs prevent the felling, lopping, topping, uprooting or other deliberate damage of trees without the permission of the local planning authority.

**URBAN** – Having the characteristics of a town or a city; an area dominated by built development.

**URBAN DESIGN** – The design of towns and cities, including the physical characteristics of groups of buildings, streets and public spaces, whole neighbourhoods and districts, and even entire cities.

**URBAN FRINGE** – The area on the edge of towns and cities where the urban form starts to fragment and the density of development reduces significantly.

**USE CLASS** – The legally defined category into which the use of a building or land falls (see Use Classes Order).

**USE CLASSES ORDER** – The Town and Country Planning (Use Classes) Order 1987 (as amended) is the statutory instrument that defines the categories of use of buildings or land for the purposes of planning legislation. Planning permission must be obtained to change the use of a building or land to another use class.

**VILLAGE DESIGN STATEMENT** – A document that identifies and defines the distinctive characteristics of a locality, and provides design guidance to influence its future development and improve the physical qualities of the area. Village design statements have generally been produced for rural areas, often by parish councils.

**WORLD HERITAGE SITE** – A place that has been designated by UNESCO as being of outstanding cultural or physical importance to the common heritage of humanity.

## About Locality

Locality is the national network of ambitious and enterprising community-led organisations. We represent over 500 (and counting) community-led organisations and 200 associate members across England. We help people set up and run community owned and led organisations, support organisations to exchange ideas and best practice, work to influence government and others nationally and locally and run major national programmes, including the Neighbourhood Planning programme, which support and empower local communities.

Our mission is to develop a network of ambitious and enterprising community-led organisations with a strong, collective voice and to inspire community action so that every neighbourhood thrives.

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Dave Chetwyn is Managing Director of Urban Vision Enterprise CIC, Director of DJC1 Planning Limited and a Design Council CABE Built Environment Expert. His roles include Planning Chair with Civic Voice, Vice Chair of the National Planning Forum and Vice Chair of the Historic Towns Forum. He is also planning adviser to Locality and heritage specialist on Crossrail Thames Tunnels section.

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