

# Background paper



## Executive Committee

Tue 28 Oct  
2014  
7.00 pm

Committee Room 2  
Town Hall  
Redditch

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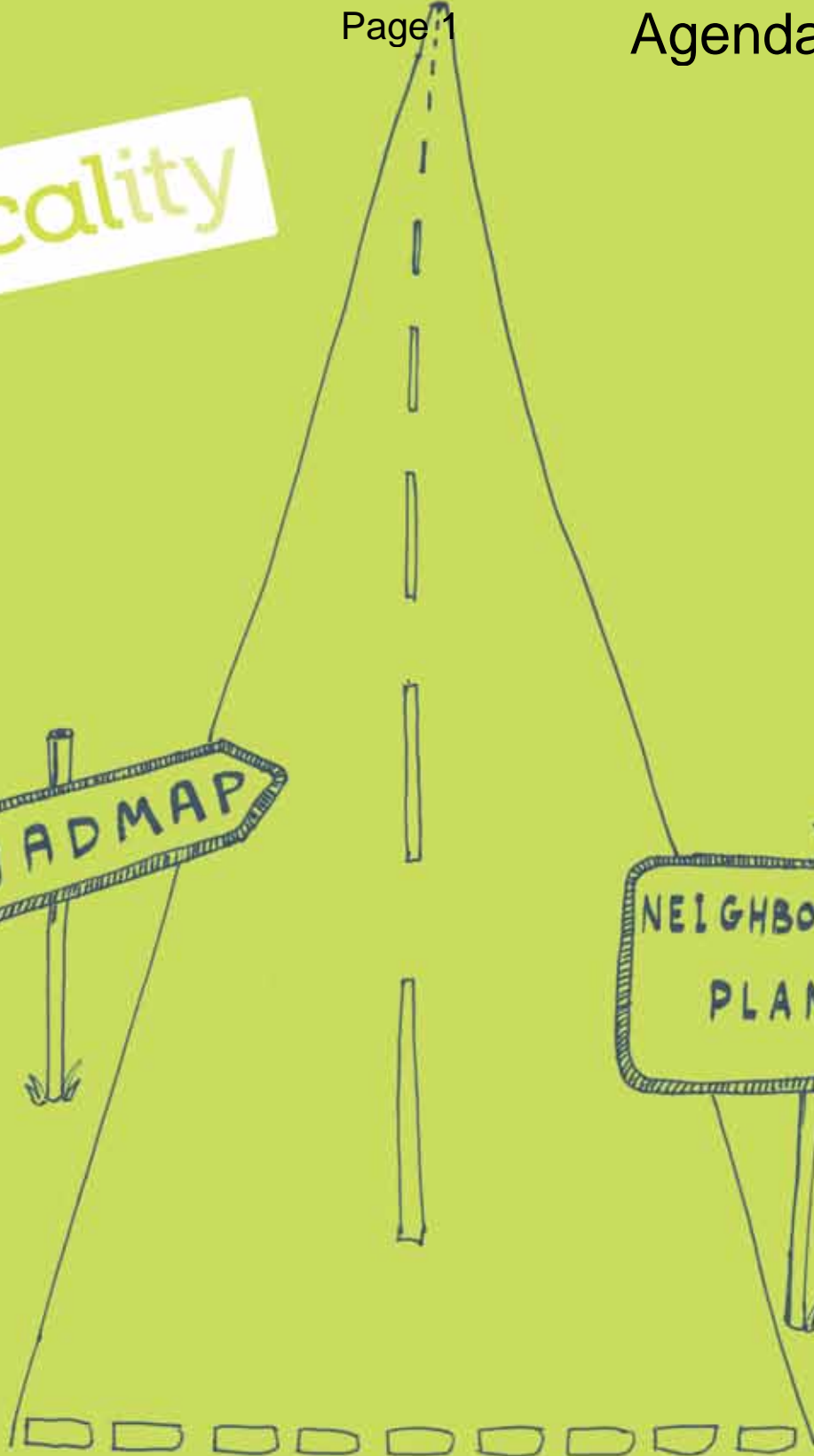
**6. Designation of a  
Neighbourhood Plan  
Area - Feckenham**

(Pages 1 - 54)

Alison Grimmett, Planning  
Officer, Ruth Bamford,  
Head of Planning and  
Regeneration

The enclosed document is referred to as a background paper in the report about the Designation of a Neighbourhood Plan for Feckenham.

locality



# Neighbourhood Plans Roadmap Guide

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## Foreword

This guide is for all those 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 Locality's experience of working with community groups in the past year; groups that are considering or undertaking Neighbourhood Planning. We have listened carefully to their concerns and helped them to make real progress.

Locality is the UK's leading network of community-led organisations. Our members work to improve their local neighbourhoods and support their local communities and all around the country have been very effective in delivering community facilities, regenerating buildings and creating new opportunities. Such community-led organisations can contribute to producing Neighbourhood Plans, and 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. Each community faces its own unique set of challenges but I have never yet come across a community where there are not people with the passion and enthusiasm to change their neighbourhoods for the better; every community is a place of possibility.

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.

**Steve Wyler**

Chief Executive, Locality

# Introduction

## Who is this Guide for?

Neighbourhood Planning commenced in 2012. Local communities are now able to produce Neighbourhood Plans for their neighbourhood, 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 practices and how to avoid pitfalls. In particular, it emphasises the need for 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 national and regional level to local government, and from local government to local communities.

There are two main parts to Neighbourhood Planning: Neighbourhood Plans and Neighbourhood Development Orders (including the Community Right to Build).

## What is a Neighbourhood Plan?

A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. A neighbourhood plan 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. This is for those producing the plan to decide.

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 comply with European and national legislation and must have appropriate regard to national policy and be 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 5, 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 local 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 development schemes, such as a housing scheme. 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 and Neighbourhood Development Orders (including Community Right to Build Orders) will be subject to a public referendum. Once plans or orders have been subjected to an independent examination and any necessary modifications made to ensure they meet important legal requirements, it is necessary to gain a more than 50% 'yes' vote of those voting in a public referendum in order to bring them 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 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.



Neighbourhood Plans can be a powerful tool



## Things to Consider

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

The legal requirement for local authorities to support those preparing Neighbourhood Plans, once the neighbourhood area has been approved, should be taken into account. (See later section on '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 conditions 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. 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 plan could be produced. A review of existing policy and discussion with the local planning authority should help to make this clear.

## Skills and Capacity

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, and ability to work in a team. Neighbourhood Planning probably isn't for anyone that doesn't like listening, dismisses public opinion, doesn't like compromise, or is intolerant of those with different views.

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 or other planning issues. It could also include things like environmental assessment.

Organising and running community engagement also requires specialist skills. It is often done badly and too late due to the lack of such skills. The later section on community engagement provides more detail on this. 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-



Specialist skills required will depend on the nature of the area in question



led rather than being led by a town/parish council or neighbourhood forum and there are different legal steps that may be required. Nonetheless, this could be worth considering.

Additional guidance on things like urban design could be prepared as a supplementary planning document as part of the Local Plan. This could probably 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 agreement with the local planning authority.

There are also more informal plans such as parish plans or community plans. These could be a material consideration in planning decisions, but 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 by-pass) 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.

As discussed above, there are both time and financial implications in producing a Neighbourhood Plan. These should be weighted 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 even 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 2 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.

Estimate the time needed for the different stages of the process

### 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.

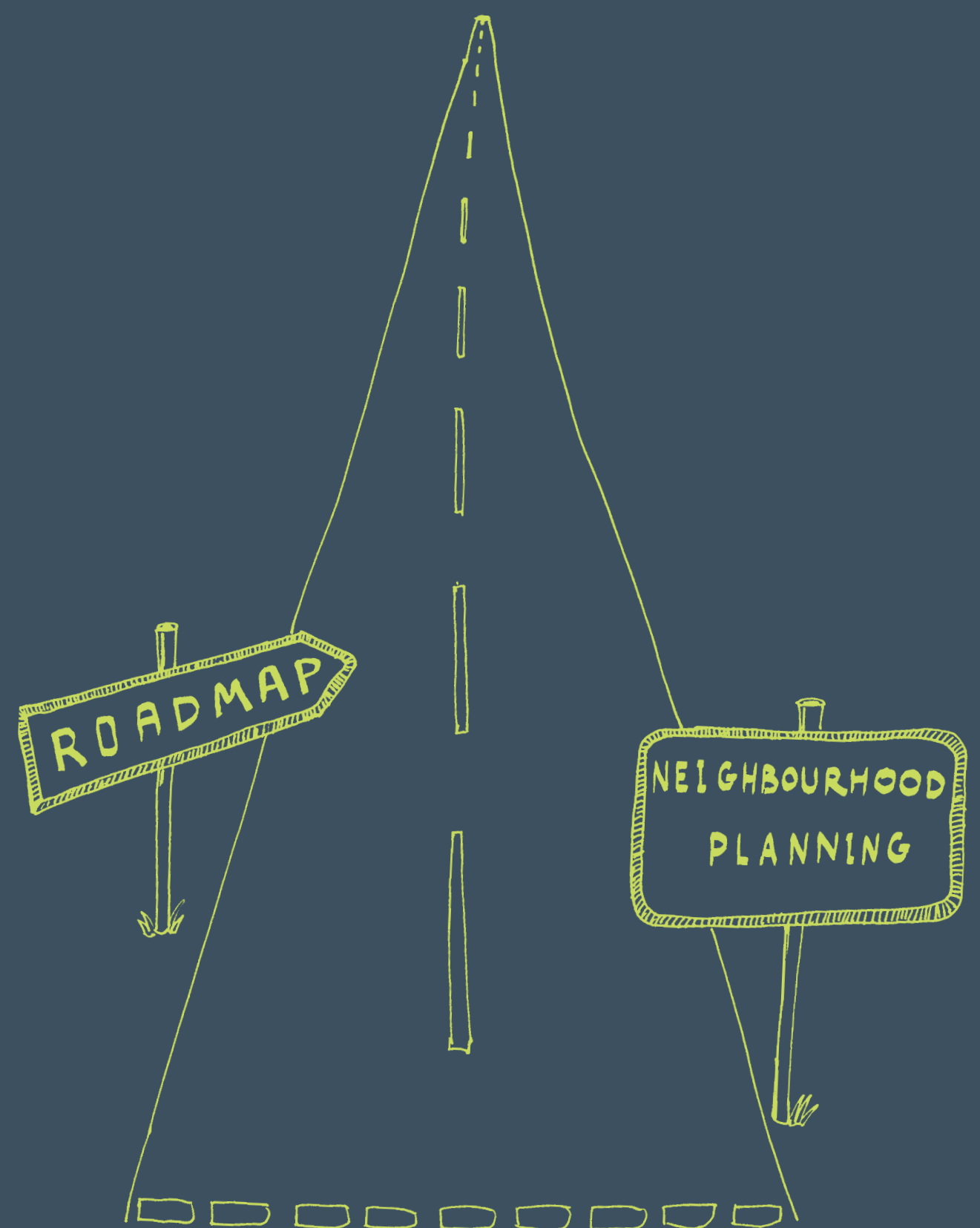
It is advisable to prepare an estimated budget for the plan process. This could cover items like the costs of community engagement activities and professional consultancy costs if required (for example, to cover specialist advice, evidence development or policy writing). Of course, there may be unforeseen 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 Supporting Communities in Neighbourhood Planning), 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, but 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. These are:

## 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 submit an application for designation 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, proposals and site allocations. Community engagement 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 and organise the public referendum, subject to the plan meeting legal requirements.

Speak to other local groups and people living in the area

# Getting Established

## First Steps

For 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 below). 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. Normal practice would be 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 of the neighbourhood forum 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 a strong presumption 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. Community Right to Build Organisations may also submit neighbourhood areas for designation.

Neighbourhood areas may not overlap. Where more than one proposed neighbourhood forum are looking at the same proposed neighbourhood area, or at areas

that overlap, negotiations would need to take place. 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 prospective forum and to propose a neighbourhood area 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 combination of these things. A useful technique can be to identify a 'definite' core area and then to identify possible additional areas. 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, though these may not coincide with what may be considered as a neighbourhood by local people. This would certainly help when it came to operating the referendum at the end of the process.

The boundary could 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.

## 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 working or steering group 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 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 must be formed to lead and coordinate 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
- membership drawn from different places in the area and different sections of the community.

It is good practice to try to make sure the membership of the neighbourhood forum reflects the character and diversity of the local population, as far as possible. For example, it could include elderly and young people, 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 should 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)
- arrangements for management and financial management
- details of how potential conflicts of interest will be recorded and managed
- membership and procedures for replacement of members where necessary
- duration of the forum (5 years from being approved)

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. This applies throughout the Neighbourhood Planning process.

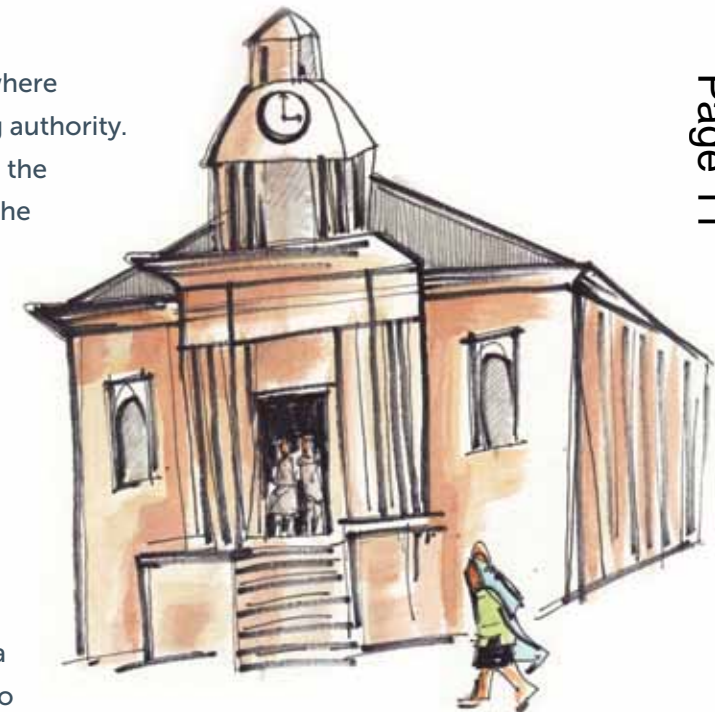
### Neighbourhood Area:

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).

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 the forum meets the legal requirements. 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 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 (see later section on the 'basic conditions')

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 could 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. The local authority should issue a decision on whether to designate a neighbourhood area or a neighbourhood forum as soon as possible after a 6-week consultation period, necessary for either kind of application. It is a good idea to ask the local authority the date on which it expects to make a decision. The local authority must publicise details of its decision, once it is made.

The local planning authority must give clear reasons for its decision and publicise them.

The local planning authority is required to publicise a map of neighbourhood areas 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 advise or assist those bodies producing a Neighbourhood Plan in its area.

This could include things like:

- arranging meetings, as appropriate, with the qualifying body
- making available data for the evidence base, such as housing need data, development viability considerations, environmental designations, and flood risk assessments.
- setting out local strategic policies in the Local Plan
- setting out national policies which will need to be considered
- providing advice on the legal requirements for Neighbourhood Planning under 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
- 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
- identifying any need for and undertaking environmental assessment or Habitat Regulations assessment.

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

# Preparing the Plan

## Project Plan

It may be helpful to draw up an action plan or programme for preparing a Neighbourhood Plan (rather like 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 could also 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 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 of existing policy in the Local Plan.

The following are suggestions for possible content of the plan:



**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.

**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.

**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.

**Site Allocations.** The Neighbourhood Plan may earmark key sites for specific kinds of development, such as housing, retail, employment or mixed use.

**Community Proposals.** Regeneration or enhancement proposals relating to the use and development of land could be included in the plan. For example, it could include policies around improving key public spaces, pedestrian links or providing new community facilities, such as a community centre. Careful thought would need to be given to how such works could be delivered within the plan lifetime. (See work sheet on delivery.)

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.

## 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 the community engagement programme 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 helpful to draw up an action plan



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 useful 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. The local authority may be able to help with creating a website or pages, perhaps using their existing website.

## Key Local Partners

In addition to publicising the proposal to produce a Neighbourhood Plan, it is useful to identify and approach key local partners. These are local organisations, groups and individuals that have a particular interest in the area. There are various reasons why partnership working is important. 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
- owners of key sites or organisations with significant property holdings
- 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 to seek their views.

Community engagement is necessary and important for several reasons:

**Statutory Requirement.** Planning legislation requires consultation and engagement to take place on plans, including on Neighbourhood Plans. When a completed Neighbourhood Plan is submitted for independent examination, it will have to be accompanied by a statement on community consultation and demonstrate 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 ownership by the public.

**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.

Identify and approach key local partners



**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, Additional Cost and Delay.** 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, 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 judgement. Democratic legitimacy will come from the combination of the referendum and effective community engagement. Effective community engagement and a robust evidence base are the pillars on which a good Neighbourhood Plan will be built.

## 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 distinct 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

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 identify key issues and themes and to inform the vision and aims.

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

The most important stage is at the beginning



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.

### On-going 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. Ongoing 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, or a key public space. For some sites, policies or proposals, different options may be proposed so that people can express their preferences.



### 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 (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 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, in many instances it is not done well. The following should help to guide the development of effective programmes of community engagement in the Neighbourhood Planning process.

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

**Awareness Raising.** It will often be necessary to include awareness-raising, education and training in consultation activities so that those participating in community engagement events are well informed about the purpose of the plan and the kind of issues it is dealing with.

**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.

Different options may be proposed



**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 creatively 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. Local partnerships are one of the ways of spreading the reach of community engagement activities.

**Accessibility.** Careful thought needs to be given to make events accessible, including location, timing, media, and format. Events should be informal and unthreatening – 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.

**Feedback.** It is essential to provide feedback on community engagement activities at all stages of the plan-making process. It is also important to explain how consultation responses feed into the plan.

## Common Mistakes – What to Avoid

Consultation is often done badly:

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

The 'talking at people at a public meeting' approach. Public meetings allow little time for each person to speak and can often be intimidating and confrontational.

The 'consultant producing options before consulting anyone' approach. It is poor practice to commission consultants to produce options before consulting the local community.

The 'publish and defend' approach. This applies where policy or master plans are produced first, before consultation takes place.

The 'boring people to the point of unconsciousness' approach. Public meetings with presentations comprising dense slides of text are an example.

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

The 'we need strong leadership not consultation' approach. 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.

The 'outcomes predetermined' approach. There is no point wasting time and money on 'consultation' if there is not an opportunity to influence what happens.

## Building the Evidence Base

### The Importance of the Evidence Base

Planning policy and proposals need to be based on a proper understanding of the place they relate to, if it is to be relevant, realistic and to address local issues effectively. It is therefore important that Neighbourhood Plans are based on robust information

Planning policies need to be based on a proper understanding of the place they relate to



and analysis of the local area; this is called the evidence base. Unless policy is based on firm evidence and proper community engagement, then 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 here will have statutory status and be used to decide planning applications in the neighbourhood area. 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. This is necessary to justify the decisions taken in a plan with real statutory weight.

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. 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 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.

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 and the evidence base that sits behind the policies in that plan will provide an important evidence base from which to develop the Neighbourhood Plan.

### 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.



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 research to clarify housing issues and housing need in the Neighbourhood Plan area, e.g. to identify affordability issues.

### Getting Help

The local authority has a duty to support those producing Neighbourhood Plans and should be able to provide access to planning policy documents such as the Local Plan, other strategies, socio-economic data, the statutory list (listed buildings) and other heritage documents. They may also have relevant technical reports on issues like transport and housing. 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, universities and other public or voluntary 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 web sites. (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 & Supplementary Documents

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.

A background document could also include a clear explanation of how the vision, aims, policy and proposals in the plan have been generated from the evidence base and community engagement programme. This demonstrates that the plan is based on solid understanding of the area and reflects the views of the wider community.

Any criteria used in decision-making could also be included, 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.

Community and stakeholder engagement may highlight non-planning matters. One way of dealing with these would be to create a separate supplement to the neighbourhood plan. This would not form part of the statutory neighbourhood plan and would not be subject to the independent examination and referendum. Therefore, it could deal with things like highways, health and other non-planning matters.

## 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.

*Aims may be designed to address the area's weaknesses*

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, Neighbourhood Development Orders and 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 prior to proceeding to referendum.

Basic conditions for Neighbourhood Plans and 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
- must be compatible with EU obligations, including human rights requirements

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 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.

Neighbourhood Plans are not just re-stating 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 on 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 and proposals, 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 of course also be an important material consideration.

Policies may be accompanied by explanatory text

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. Given the basic conditions set out above, it will also be important to consider how the Neighbourhood Plan aligns with the policies in the National Planning Policy Framework. This will ensure that policies at all levels are complementary. The local planning authority should be able to 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 those applying for planning permission and decision-makers. 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.

### Community Proposals

A Neighbourhood Plan can also put forward regeneration or enhancement proposals for the area. For example, it could allocate sites for a new community centre, urban farm or other community facilities. It could include policies relating to the improvement of key public spaces, reduction in street clutter 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.

### Site Allocations

A decision will need to be taken on whether to include specific site allocations in the Neighbourhood Plan. This would 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 these two documents will be complementary and distinctive.

The inclusion of site allocations in a Neighbourhood Plan may trigger the need for environmental assessment under EU directives. 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 open discussions with local landowners on site availability and expectations.

### Options

In developing aims, policies, proposals or site allocations, different options may be considered and be subjected to consultation to find people's preferences. 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. However, there will also 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.



Options could include things like:

- the site(s) for a new community centre or community facilities
- sites for new housing or commercial development
- the redesign of new public spaces

Consulting on options may not produce any clear preference. Ultimately, it is for those preparing the Neighbourhood Plan to make difficult decisions, exercise judgements and seek to achieve consensus and minimise conflicts.

## Policy Themes

The Neighbourhood Plan can interpret, add detail, clarify expectations or introduce new complementary policies to those already set out in the National Planning Policy Framework and Local Plan.

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 also be considered. For example, there could be a need for meeting space or hot-desking facilities or better IT connections 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.

**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 to the Local Plan on the specific

distribution, mix and density 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 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 useful to encourage mixed-use development rather than large single use housing areas, which rely more on travel to make access to community facilities.



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**Urban Design.** This includes things like: townscape characteristics such as enclosure and scale, ease of movement for pedestrians, distinctive features such as landmarks, the design and use of key spaces and the public realm, flexibility and ease of adaptation. It is usually best to focus on townscape matters rather than more subjective issues like stylistic preferences, over which it is often hard to establish any consensus.

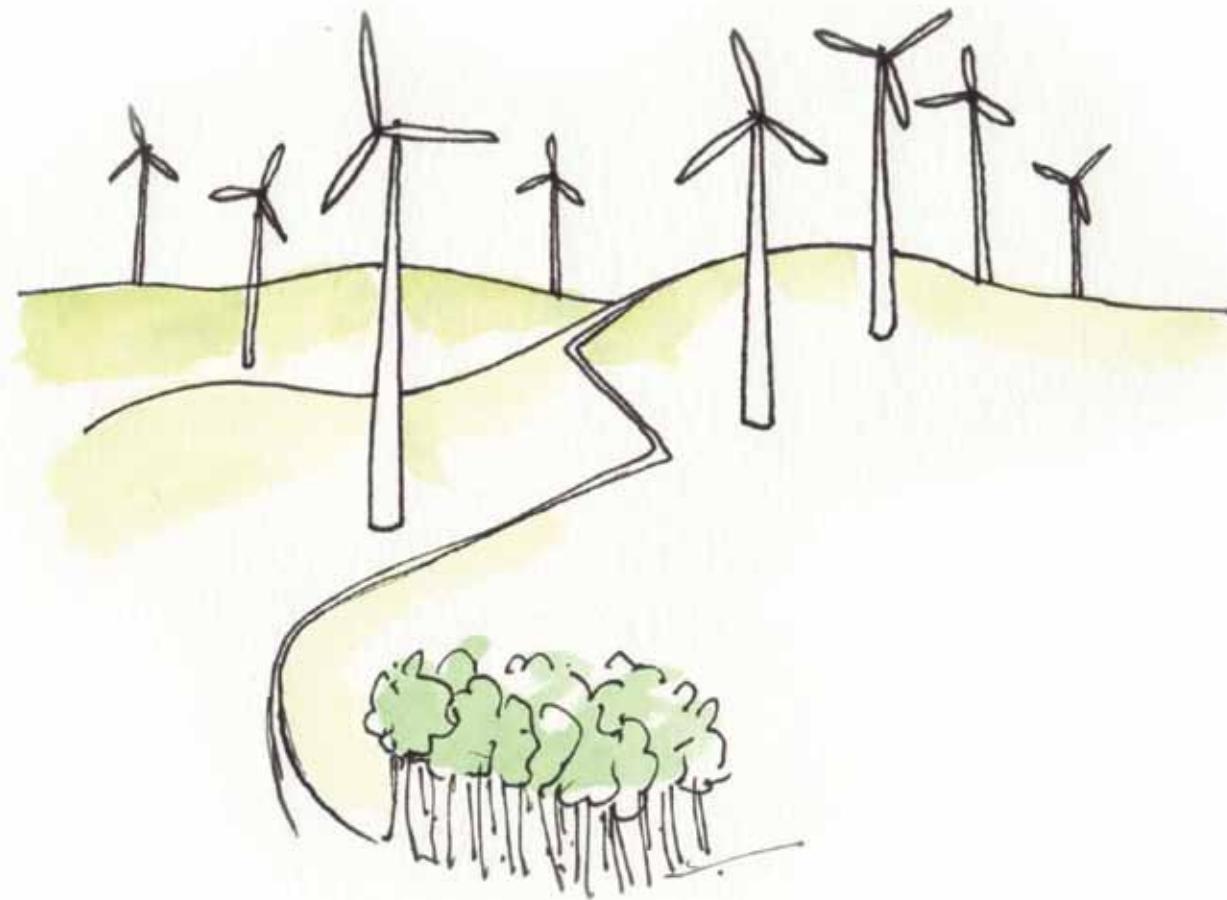
**Historic Environments.** The special statutory duties that apply to decisions involving listed buildings and conservation areas will need to be taken into account. Policies need to guide planning applications and applications for listed building consent or conservation area consent. At the heart of the Government's approach is developing understanding of the significance of heritage assets as a basis for considering change. Policies on design in historic areas should not be about imposing slavish copying in new development, but use of good townscape principles. The significance of heritage assets needs to be reconciled with the need to adapt to changing demands and to support regeneration.



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**Transport.** 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 regeneration. Car parking needs to be carefully designed and positioned to create a distinctive sense of place.





**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 should 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 habitat, 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.

## 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
- mixed-use areas, thereby reducing the need for travel
- a good mix of community facilities in walking distance where possible
- facilities to support and encourage home working
- good urban design, creating safe, overlooked, attractive, well-connected streets and spaces
- ensuring new development enhances the viability of city, town, village and local centres
- provision of varied local employment opportunities at a sustainable wage
- provision of affordable housing and a good mix of housing types
- protection and enhancement of wildlife areas and measures to support bio-diversity
- encouragement for the reuse and refurbishment of existing buildings
- ensuring development builds in 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

**A Neighbourhood Plan should contribute to the achievement of sustainable development**

These are just a few examples, but they give a flavour of 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 and Habitats Regulations Assessments

Neighbourhood Plans must not breach and must be compatible with EU and human rights 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 therefore makes sense for the local authority to screen emerging Neighbourhood Plan proposals at an early stage to ascertain whether they are likely to trigger any EU directives and thus to avoid the community and local authority undertaking work that is unnecessary. The local planning authority (alongside Natural England and the Environment Agency) should be able to advise and assist under its duty to support Neighbourhood Plans.

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.

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.

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. (See later section on 'Submission of the Plan to the Local Planning Authority'.)

## Use of Consultants

It may be useful to bring in consultants or other outside support to assist in writing some of the more complex policies, to check that the Neighbourhood Plan will pass independent examination or to provide support in reviewing/commissions/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 require the proposed plan to be the subject of a 6-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 people who live, work or run businesses in the neighbourhood area. This should include details of the proposed Neighbourhood Plan, details of where and when it may be viewed, details on how to make comments on the plan and the date by which comments must be received (at least 6 weeks from the date on which it is 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 English Heritage.
- 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.



Any comments received should be considered and, where necessary, the proposed Neighbourhood Plan should be amended.

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.

Possible options for fulfilling the above requirements include:

- putting the plan on the Neighbourhood Plan website if there is one
- asking the local authority to publish it on their website
- placing copies of the plan in key public buildings, such as libraries, community centres or council offices
- placing copies of the plan in important local businesses, such as shopping centres or supermarkets

Many people will not want to read through the whole document, so it may be useful to produce a simple leaflet or display boards that set out the main aims and main focus of policies in the plan.

## Submission of the Plan to the Local Planning Authority

Following any amendments resulting from the pre-submission consultation stage, the proposed Neighbourhood Plan 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 current version of the plan meets the basic conditions. This is a sensible precaution to ensure the plan has the best possible chance of a successful examination.



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 that the plan has met the legal requirements for consultation and publicity. The local authority is also responsible for publicising the proposed plan and arranging for the independent examination and referendum to take place, for example in appointing the independent examiner.

If a Neighbourhood Development Order or a Community Right to Build Order is being proposed then it may be useful for it to be submitted to the local planning authority at the same time as the proposed Neighbourhood Plan.

### What needs to be submitted?

The 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 proposed Neighbourhood Plan
- a statement on how the plan fulfils the basic conditions and other legal requirements (see previous section on the 'Basic Conditions')

The local planning authority will publicise the proposed plan

Agenda Item 6



## The Consultation Statement

The focus of the consultations statement is on the 6 week statutory consultation. However, it is also useful to include a summary of previous consultation that has been undertaken 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 those 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). In addition, the 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 NDP (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 NDP does not relate to more than one neighbourhood area.
- Confirmation that there are no other NDPs in place within the NA.

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 which supports the proposed Neighbourhood Plan and basic conditions statement.

## Publicity

Upon receiving the proposed plan and supporting information, the local planning authority will publicise it, make it available for inspection and invite anyone interested

to comment on it by a specified date (not less than 6 weeks from it being publicised). The local planning authority will also notify anyone referred to in the consultation statement that the plan has been received.



## The Independent Examination

The local authority will appoint a person to carry out the independent examination of the Neighbourhood Plan who is known as the 'independent examiner'. This appointment will be agreed with the parish or town council or the neighbourhood forum that submitted the Neighbourhood Plan to the local authority. They must appoint an appropriately qualified and experienced person.

The local authority will send to the independent examiner the plan and supporting information and also a copy of any comments received during the consultation period following submission of the plan. The independent examiner will take these comments into account.

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 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 human rights requirements
- is compatible with EU obligations

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 will consider whether the proposed Neighbourhood Plan meets the basic conditions set out by law

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 town or parish council or neighbourhood forum. If the plan meets the basic conditions, the examiner will recommend that the plan proceed to the referendum stage, or may suggest further modifications are needed to the plan so 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 no modifications could be made to ensure that it meets those conditions. 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 area. This may be a referendum area that includes 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 the recommendation and whether the plan can be changed to address those reasons. This should be discussed with the local planning authority. It may also be necessary to consult local partners or stakeholders. The options will then be to either abandon the plan or to change it and then go through the process again, from the pre-submission 6-week consultation.

## 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.

Modifications should be explained to and discussed with the parish or town council or neighbourhood forum to ensure consensus. If this consensus is not possible the town or parish council or neighbourhood forum has the option of withdrawing the plan if it is unhappy with the changes being made. 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 parish council or neighbourhood forum may encourage voting in the referendum, within certain 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 rate payers

If more than 50% of those voting in the referendum vote 'yes', then the local planning authority will bring the plan into force. Where there is a business area, 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 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.



# 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.

## Subjects Covered

1. Making the Decision to Prepare a Neighbourhood Plan
2. Neighbourhood Area
3. Neighbourhood Forum
4. Community Engagement and Involvement
5. Building the Evidence Base
6. Writing the Neighbourhood Plan
7. Submitting the Plan
8. Delivery of the Neighbourhood Plan

## Sources of information and support

Locality	<a href="http://www.locality.org.uk">www.locality.org.uk</a>
My Community Rights	<a href="http://www.mycommunityrights.org.uk">www.mycommunityrights.org.uk</a>
Urban Vision Enterprise	<a href="http://www.uvns.org">www.uvns.org</a>
Civic Voice	<a href="http://www.civicvoice.org.uk">www.civicvoice.org.uk</a>
Community Matters	<a href="http://www.communitymatters.org.uk">www.communitymatters.org.uk</a>
The Planning Portal	<a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a>
RTPI/Planning Aid	<a href="http://www.rtpi.org.uk/planningaid">www.rtpi.org.uk/planningaid</a>
Institute of Historic Building Conservation	<a href="http://www.ihbc.org.uk">www.ihbc.org.uk</a>
Design Council CABE	<a href="http://www.designcouncil.org.uk/our-work/cabe">www.designcouncil.org.uk/our-work/cabe</a>
English Heritage	<a href="http://www.english-heritage.org.uk">www.english-heritage.org.uk</a>
Historic Environment Local Management	<a href="http://www.helm.org.uk">www.helm.org.uk</a>
Natural England	<a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a>
National Planning Forum	<a href="http://www.natplanforum.org.uk">www.natplanforum.org.uk</a>
Action for Market Towns	<a href="http://www.towns.org.uk">www.towns.org.uk</a>
Historic Towns Forum	<a href="http://www.historictownsforum.org.uk">www.historictownsforum.org.uk</a>
National Association of Local Councils	<a href="http://www.nalc.org.uk">www.nalc.org.uk</a>
Campaign for the Protection of Rural England	<a href="http://www.cpre.org.uk">www.cpre.org.uk</a>
National Council of Voluntary Organisations	<a href="http://www.ncvo-vol.org.uk">www.ncvo-vol.org.uk</a>
The Environment Agency	<a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a>
Planning Advisory Service	<a href="http://www.pas.gov.uk">www.pas.gov.uk</a>
Placecheck	<a href="http://www.placecheck.info">www.placecheck.info</a>
The Glass-House	<a href="http://www.theglasshouse.org.uk">www.theglasshouse.org.uk</a>
Communityplanning.net	<a href="http://www.communityplanning.net">www.communityplanning.net</a>
Princes Foundation for Building Community	<a href="http://www.princes-foundation.org">www.princes-foundation.org</a>
Action with Communities in Rural England	<a href="http://www.acre.org.uk">www.acre.org.uk</a>



# 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** – One of the basic conditions for neighbourhood plans is that they be in general conformity with strategic 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 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 application.

**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 STRATEGIC PARTNERSHIP** – Initiative in every local authority to develop partnership working between public

agencies, voluntary groups and business and to more effectively deliver public services.

**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 a 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.



Locality is the leading nationwide network of settlements, development trusts, social action centres and community enterprises.

We help people to set up locally owned and led organisations. We support existing organisations to work effectively through peer-to-peer exchange of knowledge and best practice on community asset ownership, community enterprise, collaboration, commissioning support, social action, community voice, community rights and regeneration. We have been working with communities involved in Neighbourhood Planning over the past 18 months.

Locality also works to influence government and others at national and local level to build support and investment for the movement. Locality was formed in April 2011 by the merger of Bassac and the Development Trusts Association, two leading networks of community-owned and led organisations.

Contact: Locality, 33 Corsham Street, London, N1 6DR  
[www.locality.org.uk](http://www.locality.org.uk)  
Tel: 0845 458 8336  
Email: [info@locality.org.uk](mailto:info@locality.org.uk)

## About the Author

Dave Chetwyn MA, MRTPI, IHBC, FInstLM

Dave Chetwyn is Managing Director of Urban Vision Enterprise CIC, Director of DJC1 Planning Limited and a Design Council CABE Built Environment Expert. Other 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.

Former roles include Head of Planning Aid England, UK Chair of the Institute of Historic Building Conservation, a Design Council CABE enabler, and a team leader in local Government. He has advised and participated in various Government groups, reviews and Parliamentary select committees on planning, regeneration, heritage, urban design, economic development, state aid and community engagement.

Dave is a chartered member of the Royal Town Planning Institute, a full member of the Institute of Historic Building Conservation and a Fellow of the Institute of Leadership and Management.

Contact: Urban Vision Enterprise CIC, Burslem School of Art, Queen Street, Stoke-on-Trent, ST6 3EJ  
[www.uvns.org](http://www.uvns.org)  
Tel: 01782 790595  
Email: [info@uvns.org](mailto:info@uvns.org)

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# Neighbourhood Planning Worksheet 1

## Making the Decision to Prepare a Neighbourhood Plan

The following is intended to guide local groups in deciding whether to produce a Neighbourhood Plan, including weighing up alternative courses of action.

### Tasks

**Consider different routes to achieving your ambitions for your neighbourhood.**

**Identify the opportunities and benefits of producing a Neighbourhood Plan.**

**Consult a range of local people, partners and stakeholders to assess level of interest.**

**Review existing local policy to identify how well it covers community concerns and aspirations.**

**Consider alternatives for the boundary of the neighbourhood area, for which a plan could be prepared.**

**Estimate resource implications (time and money) of producing a Neighbourhood Plan.**

**Review possible sources of funding and support (including technical and professional support).**

**Meet the local authority to clarify the support it can offer under its duty to support.**

**Based on the above, make the decision on whether to produce a Neighbourhood Plan.**

### Consider Alternatives to a Neighbourhood Plan

Alternatives to producing a Neighbourhood Plan may include:

- use other planning tools such as seeking to influence the local plan; commenting on planning applications; get involved in pre-application discussions; influencing design and development briefs
- produce a parish plan or community plan (though these do not have statutory status)
- focus time and money on delivering existing plans (e.g. a parish plan)

Other options include:

- link with other parishes or adjacent areas to produce a joint Neighbourhood Plan
- delay producing a Neighbourhood Plan until resources can be found

### Opportunities and Benefits of a Neighbourhood Plan

It is useful to be aware of the main motives for wanting to do a plan. These could include:

- the plan will have statutory status – greater influence over planning decisions
- more say on detailed matters than the Local Plan
- community-led
- possible influence on other council activities
- opportunity to specify which sites will be developed



- begins a dialogue with a range of organisations
- can encourage community projects and self-build initiatives

## Resources

### Time and Financial Costs

It may be useful to create a simple table to help in assessing time and cost implications. This could break down the plan into different activities, such as:

- publicity
- local partnerships
- initial community engagement
- building the evidence base
- continuing community engagement
- writing the plan
- pre-submission consultation
- other activities

In working out resources including financial costs, each task will need to be considered. Think about breaking down the task of producing a neighbourhood plan into a series of smaller actions and then placing key milestones and costs against them.

The following should be included:

- venues, refreshments, materials for community events
- paid professional support (if needed) (such as preparing technical evidence)
- telephone and postage
- printing
- travel to meetings and events
- other miscellaneous expenses

## Sources of Support

Time and cost implications can be set against possible sources of support, both financial and professional/technical.

### Possible Financial Support

- specific Neighbourhood Planning grants or support, if applicable
- precept (for town/parish councils)
- local authority financial contribution
- local donations
- developers and landowners
- local businesses/chambers of commerce

### Professional and Technical Support

- council officer time and other support by the local planning authority (which has a duty to support the preparation of the Neighbourhood Plan)
- pro-bono support from local firms (e.g. planning practices, legal firms)
- pro-bono planning support through national organisations (e.g. Planning Aid)
- community engagement support from national organisations (e.g. Locality)
- local working or retired professionals
- web sites (e.g. Planning Portal)
- local branches of professional bodies
- help with printing
- help with developing web sites/publicity/communications
- need to be clear on skills/knowledge available in local community

## Making the Decision

The decision on whether to produce a plan, now or in the future may be based on an assessment of:

- potential benefits to the area in question
- local opinion
- estimation of resource implications and comparing to available resources, both financial and in terms of volunteer time
- available support, including that from the local planning authority through its duty to support
- consideration of whether alternative courses of action may be a better use of time and resources

# Neighbourhood Planning Worksheet 2

## Neighbourhood Area

To start the Neighbourhood Planning process, it is necessary to submit the neighbourhood area to the local planning authority for designation.

### Tasks

**Publicise the proposal to produce a Neighbourhood Plan and to determine a neighbourhood area.**

**Identify and consult local partners and community groups.**

**Walk around and look at the physical characteristics of the area.**

**Identify the neighbourhood area to which the Neighbourhood Plan will relate.**

**Submit details of the proposed neighbourhood area to the local planning authority for designation.**

### Determining the Neighbourhood Area

The local planning authority should be able to provide maps on which to identify a neighbourhood area as part of their duty to support. In addition, they are required to maintain a map of any other neighbourhood areas designated in their area.

For parish/town councils, the presumption is to include the whole parish/town administrative area. However, the following options may also be considered:

- define a more focused area (where there are planning reasons to do so)
- link with adjacent parish/town councils to produce a joint plan

Deciding on a suitable neighbourhood area may be based on social and economic considerations, and may be defined by physical characteristics. For example, possible approaches could include:

- resident association areas
- housing estates and supporting facilities, such as local shops
- town centres and their environs
- villages and small settlements
- areas already defined for previous village, community or regeneration plans
- administrative boundaries, such as local wards
- conservation area boundaries

Some simple steps could be:

- define what neighbourhood means to the group producing the plan
- discuss the area with the local planning authority
- engage with local groups and people to gain their views on what is the local neighbourhood
- identify the main area and any optional surrounding areas
- speak to people in different parts of the area, especially where there is uncertainty whether to include them in the neighbourhood area
- decide on a boundary, based on clear physical features, so that there is no uncertainty where the boundary lies

## Submission to the Local Planning Authority

In submitting the proposed neighbourhood area to the local planning authority for designation, the following must be provided:

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

The supporting statement should include a description of the way in which the area was determined and how people were involved in the decision.

The local planning authority will publicise the application to designate a neighbourhood area and will take account of any representations received.

The presumption is that the local planning authority will designate the neighbourhood area, or designate it in a modified form where there are planning reasons for doing so.

## Good Practice

- publicise the proposed Neighbourhood Plan
- try to develop a definition/methodology for identifying the neighbourhood area
- identify and involve key local partners
- involve and consult with the local community at all stages
- hold on-going discussions with the local planning authority
- define the area using clear physical features



# Neighbourhood Planning Worksheet 3

## Neighbourhood Forum

Where there is no parish or town council, a neighbourhood forum will need to be established. An application to be a neighbourhood forum must be submitted for designation, usually following the approval of the neighbourhood area.

### Tasks

**Form a prospective neighbourhood forum to lead the preparation of the Neighbourhood Plan.**

**Decide on a name and write a constitution for the neighbourhood forum.**

**Submit details of the proposed neighbourhood forum to the local planning authority for designation.**

### Legal Requirements

- 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
- membership drawn from different places in the area and different sections of the community.'

### Putting together a Neighbourhood Forum

In addition to the above legal requirements, it is good practice to try to attract a diverse range of people onto the forum.

This could include:

**Intrinsic characteristics:** for example young, elderly, balance of gender, lesbian and gay, disability, ethnic groups, faith groups.

**Socio-economic characteristics:** for example tenants, owner-occupiers, low income, small business owners, larger firms, creative industries, not-for-profit sector, public sector,

private sector, non-car owners, parents, single people, unemployed, students.

**Interests/knowledge/expertise:** for example housing, employment, transport (including public transport), urban design, retail, built heritage, natural environment, sports & recreation, education/skills, culture, city or town centres, night economy (e.g. food, drink, entertainment), communications, health, knowledge economy, crime and anti-social behavior, play, waste and recycling.

An existing community group or organisations could become a neighbourhood forum by amending their purpose and membership to meet the necessary requirements.

## Neighbourhood Forum Constitution

The constitution should include:

- the purpose of the neighbourhood forum, including promoting or improving the social, economic and environmental well-being of the area
- 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)
- arrangements for management and financial management
- details of how potential conflicts of interest will be recorded and managed
- defining membership and procedures for replacement of members where necessary
- duration of the forum (5 years from being approved)

## Submission to the Local Planning Authority

In submitting the proposed neighbourhood forum proposal to the local planning authority for approval, the following must be provided:

- the name of the proposed neighbourhood forum
- written constitution
- 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 the legal requirements (see above)

At the same time as making the submissions to the local planning authority, discussions could take place on the nature of support that they will provide.

## Good Practice

- publicise the proposed neighbourhood forum and open its membership to all
- analyse the local population to help ensure the membership of the neighbourhood forum reflects local character and diversity
- identify and involve key local partners, either to establish dialogue or to invite them to join the neighbourhood forum
- involve and consult with the local community at all stages
- hold ongoing discussions with the local planning authority

# Neighbourhood Planning Worksheet 4

## Community Engagement and Involvement

Effective community engagement and involvement is essential right from the beginning of the process. Good community engagement will create a well-informed plan and a sense of ownership. A failure to do so may increase the risk of an adverse outcome at the referendum stage.

Community involvement should be an on-going process of engagement and refinement rather than a stop-start series of exercises.

Important first steps are to make sure that the proposal to produce a Neighbourhood Plan is known about by as many people as possible and to identify those local partners who can support the plan-making process and help to get local people involved.

### Tasks

**Publicise the proposal to produce a Neighbourhood Plan.**

**Identify key local partners and stakeholders and develop working arrangements to gain their involvement and support.**

**Formulate a programme of community engagement**

**Carry out initial community engagement programme and analysis to identify issues and themes.**

**Undertake on-going community engagement to support the development of policy and content of plan.**

**Provide feedback at all stages.**

**Consult on the draft plan.**

### Publicising the Proposed Neighbourhood Plan

Methods of publicising the intention to produce a plan include:

- press releases to local papers and local radio
- council newspapers
- local authority and other local newsletters
- social media such as Facebook, Linked-in and Twitter
- leaflets and flyers
- posters in local shops and public buildings
- publicity through local partners and their networks

The local planning authority should be able to provide support, especially through its own publications or by placing notices in libraries and other public buildings.



## Identifying Key Local Partners and Stakeholders

Local partners and stakeholders should be identified based on their knowledge, expertise, networks and ability to engage with wider groups of people, including minority groups.

They could include:

- local elected 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
- owners of key sites or organisations with significant property holdings
- 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

The local planning authority should be able to help in compiling the list and providing contact details.

## Develop Working Arrangements with Partners

Different working arrangements with partners could include:

- inviting them to join the neighbourhood forum
- inviting them onto steering or working groups supporting the work of the neighbourhood forum or parish/town council
- meeting them to discuss their views and the interests of their members or communities.
- working with them to develop the community engagement programme and discussing ways in which they can engage their members or communities
- help in compiling and analysing the evidence base
- inviting them to contribute to the development and writing of the plan
- consulting them at key stages in the plan preparation
- using them as a source of professional advice and support

## Hard-to-Reach Groups

In designing community engagement and consultation programmes, it is desirable to target the widest range of people, including both women and men, and minority or hard-to-reach groups like: young and elderly, single parents, lesbian and gay, ethnic groups, disabled groups, low income, disadvantaged groups. It is necessary to approach different minority groups to discuss the most effective way of engaging.

## Stages of Engagement

### Early Engagement

- develop open questions and activities to find out people's likes and dislikes about the area and views on what needs to change. This will identify key issues for the plan to address. This might need to be much more proactive than just sending a leaflet with questions to each household
- provide feedback on the outcome of consultation events

### Ongoing Engagement

- develop community engagement events to look at more detailed matters, building on earlier engagement and feedback received on what people want to see
- provide feedback on the outcome of consultation events

### Consulting on the Draft Plan

- consult formally, in accordance with the Neighbourhood Planning regulations. This involves publicising and consulting on the draft plan for a 6-week period. It is likely the plan will then need to be changed in light of the feedback received and then it will be submitted to the local planning authority

## Community Engagement Techniques

It is advisable to use a range of community engagement techniques. Different people respond to different approaches. A range of locations should be used for community engagement events, especially in larger neighbourhood areas. Different timings may also cater for people with diverse working patterns. Techniques could include:

**Workshops.** Workshops can take many forms, but essentially they are interactive events where people can make their views known and discuss issues with other participants, often working in smaller groups. They do involve time commitments, but have the advantage of allowing participants to get more involved and for issues to be examined in detail.

**Market/Street Stalls.** These are a faster and less time consuming form of engagement, aimed at catching passing people. They need to be sited where there are strong pedestrian flows. They can include a range of ways of participating, from questionnaires to comment boards. It is useful to target local events, such as festivals, which often attract large numbers of people.

**Questionnaires.** These have the advantage of being low-cost and of potentially being circulated to large numbers of people. They can include paper-based and on-line versions. Analysing returned questionnaires can be very time-consuming and this needs to be taken into account in their design. Multiple-choice questions are relatively easy to analyse. However it is important also to ask open questions and to avoid loaded questions.

**Model Making.** Getting local people to make three dimensional models or layouts of how their area could be developed is a creative and often effective way of considering options and developing ideas.

**Use of Social Media.** Social media is useful for publicising events and sometimes can be a platform for discussions.

**School and College Projects.** It can be quite challenging to gain access to schools. An effective approach can be to work through teachers and identify opportunities to include Neighbourhood Planning into existing lesson plans, e.g. debate, or art and drawing. For older age groups, pupils or students can be asked to design their own questions to engage their peers.

**Placecheck.** Placecheck is a useful technique for Neighbourhood Planning. At the earliest stage, broad questions can be put to local people on what they like and dislike about their area. At a more detailed level, placecheck provides checklists against which to look at local areas, streets and places.



# Neighbourhood Planning Worksheet 5

## Building the Evidence Base

A firm evidence base provides understanding of the area and a foundation on which to write the plan. The evidence base should be proportionate to the plan's scope, content, impact and complexity.

### Tasks

**Speak to the local planning authority to clarify local strategic policies and to gain access to evidence developed by them.**

**Review existing evidence for the neighbourhood area and surrounding area (context).**

**Produce any additional evidence to address gaps in existing evidence or to provide neighbourhood focus.**

**Undertake analysis of evidence.**

### Where to Look for Existing Evidence

- the Local Development Framework, including core strategy and background evidence
- other local authority plans and strategies
- any opinion-based research conducted by the local authority
- socio-economic data for district/ward (census and other data)
- technical reports, such as transport studies and public transport data
- Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments
- conservation area appraisals, buildings-at-risk surveys and landscape character studies
- statutory list (listed buildings and scheduled ancient monuments)
- details of other environmental protection designations, such as tree preservation orders and sites of special scientific interest
- plans or data from other public bodies or statutory undertakers
- existing plans for an area, such as a community plan, parish plan or village design statement
- local libraries, archives, web sites

## Developing Neighbourhood Level Evidence

This will vary for different neighbourhood areas according to the adequacy of existing evidence and the nature of the area in question. Examples of possible kinds of neighbourhood-level evidence are:

### Economic:

- business surveys
- vacancy/floorspace survey
- available sites survey
- land values

### Environmental:

- heritage audit
- review of local lists
- urban design analysis
- open space survey & analysis

### Social/Community:

- housing condition survey
- audit of community facilities
- 'Building for Life' assessment of housing
- housing need

### Infrastructure:

- transport linkages
- schools capacity
- transport capacity analysis,
- traffic/pedestrian flow surveys

## Checklist - Types of Evidence

The following list is fairly detailed, but not comprehensive. It is necessary to understand the neighbourhood area and the wider surrounding area (the social, economic and physical context). This may look daunting, but selection is required, depending on the characteristics of the area in question.

**Demographic Profile of the Local Population.** Income levels, age profile, employment-type, socio-economic groups, unemployment levels, life expectancy, infant mortality rates, ethnicity and other characteristics. Sources include: local census, local plan, local authority statistics.

**Local Employment and Industries.** Major local industries and trends (growing and declining sectors), how much employment is local and how much involves commuting, how good transport links are to employment areas, whether local skills match employment opportunities, rate of business start-ups, availability of incubator units, business parks and industrial estates, employment land supply. Sources include: local plan, local authority statistics, local trade organisations, Local Enterprise Partnerships, Homes and Communities Agency.

**Land Use and Planning.** Major land owners where applicable (e.g. ownership of shopping centres, key sites), existing planning permission, land uses, ground conditions, derelict and contaminated land, topography. Also, planning policy and other designations such as business improvement districts, retail areas, cultural quarters, green belts, heritage or landscape designations. Also land values and house prices. Sources include: local plan, local estate agents, Local Enterprise Partnerships, Homes and Communities Agency.

**Housing.** Current number of dwellings, types of accommodation (size and property types), breakdown of tenure (local authority/ social housing, private rented, owner-occupied), household size, vacancy rates, proportion of unfit stock, rate of new build, age of stock (pre-1914, inter-war, post war, modern). Sources include local plan, local housing department, local housing associations or trusts, Homes and Communities Agency.

**Transport.** Capacity of transport network, public transport systems and hubs, facilities and safety for pedestrians and cyclists, car-parking, proximity of major transport routes (e.g. motorways, railway stations, A roads). Sources include local plan, local highways authority, local public transport providers.

**Natural Environment and Special Landscape Designations.** Landscape designations, such as sites of special scientific interest, areas of outstanding natural beauty, nature reserves, tree preservation orders. Quality of agricultural land. Key natural features such as woods, rivers and other water features. Sources include local plan, Natural England.

**Historic Environment.** Heritage designations such as listed buildings, conservation areas, scheduled ancient monuments, local lists, historic parks and gardens. Other historic features, such as canals. Characterisation documents such as landscape character appraisals, and conservation area appraisals. Buildings at risk surveys and other condition surveys. Sources include: local plan, local historic environment record, English Heritage.

**City, Town and Local Centres.** Amount of retail floorspace, vacancy rates, nature of retail provision, night-time economy (e.g. pubs, restaurants, performance venues), catchment area, rental values, trends (growth or decline), proximity to other centres. Sources include: local plan, retail studies, local trade organisations.

**Urban Design.** Key urban and green spaces, connections (e.g. paths, roads, links), significant landmarks, views, scale, urban form (e.g. layout, scale, enclosure), and character. Sources include: local plan, Design Council CABE, local civic societies.

**Community Infrastructure.** Community assets of an area, including community centres, key local shops (e.g. chemist, post office, newsagents), libraries, youth centres, parks, play areas, nurseries/crèches, pubs, health centres and surgeries. Sources include: local plan, local community organisations, public health organisations.

In addition to using the suggested sources, there should be a dialogue with the local authority, which will be able to provide supporting evidence or sign post to other organisations that can help.





# Neighbourhood Planning Worksheet 6

## Writing the Neighbourhood Plan

There is no standard template for writing a Neighbourhood Plan and community groups may choose unconventional approaches. However, the following may be useful in informing the process.

### Tasks

**Identify key issues/themes for the plan to address.**

**Meet the local planning authority to identify strategic local policies.**

**Develop clear aims for the Neighbourhood Plan.**

**Write planning policies and guidance.**

**Identify any projects or proposals for the neighbourhood area.**

**Consider allocating specific sites for different types of development.**

**Consider the potential for using Neighbourhood Development Orders to deliver the plan's aims.**

### Identify Issues and Themes

Identify key issues for the Neighbourhood Plan by:

- analysis of the evidence base
- analysis of responses through community engagement
- discussions with and suggestions by local partners
- assessing existing local policy

### Identify Strategic Local Policies

- the local planning authority should be able to identify strategic local policies, which the Neighbourhood Plan will need to be in general conformity with
- the local planning authority should also identify key policies in the National Planning Policy Framework to take into account

### Develop the Vision and Aims

- you may wish to write a concise and clear vision based on the above analysis, setting out how the area should be at the end of the Neighbourhood Plan period (e.g. 10-15 years in the future)
- develop overall aims for the plan, taking account of the key themes and issues identified by the evidence base and community consultation

## Develop Planning policies

- identify the main subject areas for planning policy
- write policies, based on achieving the vision and aims
- ensure policies are clear, concise and provide an effective basis for decision-making
- think how policies work collectively
- if necessary, write more detailed guidance on certain issues, e.g. urban design, housing development
- if applicable, produce a site allocations plan identifying key sites and allocations for specific kinds of development, e.g. housing, employment, community facilities, and other uses
- check the policies against the National Planning Policy Framework
- check the policies against strategic policies in the local plan for general conformity
- have the policy checked by a planning/legal expert for clarity and robustness

Identify any regeneration, development or enhancement projects and initiatives to help deliver the plan vision and aims. These could include:

- policies to enhance key spaces and the public realm
- sites for new community facilities or infrastructure, such as community centres
- proposals for new or improved infrastructure, such as roads, paths and lighting

## Good Practice

- involve and consult partners and the local community throughout the process
- use the vision and aims to generate policy and proposals
- liaise with the local planning authority throughout the process
- bring in expert people and organisations to advise on technical matters, where necessary
- make sure that the plan content is firmly based on the evidence base and outcomes of community involvement and engagement
- ensure that the plan does not breach European and national law, has regard to national policy and is in general conformity with strategic local planning policies
- use clear, simple and unambiguous language.
- use illustrations or explanatory text to clarify and interpret policies



# Neighbourhood Planning Worksheet 7

## Submitting the Plan

The independent examination and referendum are the last stages in making a plan. Achieving a positive outcome will depend to a large extent on how well earlier stages have been carried out, especially community engagement and involvement.

### Tasks

**Undertake pre-submission consultation.**

**Amend the plan, if necessary.**

**Prepare a consultation statement.**

**Prepare supporting statement on how the plan meets the basic conditions.**

**Submit the proposed Neighbourhood Plan to the local planning authority.**

**Participate in the independent examination.**

### Pre-Submission Consultation

This should include:

- key consultees, based on the content of the plan (e.g. Natural England, the Environment Agency, English Heritage)
- the local planning authority
- neighbouring district, town or parish councils
- significant land-owners
- local community organisations

There is a minimum period of 6 weeks for this consultation stage. The plan will need to be publicised and made available for anyone who wishes to make representations. The Regulations are deliberately light touch, allowing for pro-active or innovative

consultation techniques. It may be useful to produce a concise summary document for those that don't wish to read the whole plan.

### Submitting the Proposed Neighbourhood Plan

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

- a map: Map or statement which identifies the area to which the plan relates
- consultation statement: Statement on consultation undertaken in preparing the plan
- the proposed Neighbourhood Plan: A copy of the draft plan
- statement on Meeting Legal Requirements: A statement on how the plan fulfils the basic conditions

### Consultation Statement

The consultation statement should include:

- details of people and organisations consulted
- details of how they were consulted
- 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 plan

## Basic Conditions Statement

A plan must meet the following basic conditions. To demonstrate this, a statement on how the plan meets legal requirements should include:

- an explanation of how appropriate regard has been made to relevant policies in the National Planning Policy Framework. It may be useful to list relevant policies and explain how the Neighbourhood Plan has responded to them
- an analysis of how the plan contributes to achieving sustainable development
- a description of how the Neighbourhood Plan is in general conformity with the strategic policies in the local plan, especially in meeting growth requirements
- confirmation that the plan is compatible with human rights requirements and EU obligations. The local planning authority should be able to advise on this

The statement also needs to confirm that the following legal requirements have been met:

- The draft plan is being submitted by a qualifying body (as defined by the Act).
- What is being proposed is a NDP (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 NDP does not relate to more than one neighbourhood area.
- Confirmation that there are no other NDPs in place within the NA.

## Independent Examination

The independent examination will look at whether the plan meets the basic conditions. This will usually be undertaken by written representations, but may involve a public hearing. The parish or town council or neighbourhood forum will need to agree to the appointment of a suitably qualified

and experienced person. Things to look for include:

- knowledge and experience in current planning policy, legislation, and procedures
- appropriate qualification and membership of an appropriate professional body
- freedom from conflicts of interest or bias (real or perceived)
- experience and ability to weigh evidence and to deal with a range of people of varying levels of knowledge
- ability to make sound and impartial professional judgments

## Gaining Support in the Referendum

Factors that will make a ‘yes’ vote more likely include:

- publicity at all stages, so that the voting population know about the plan
- involvement of a range of partner organisations
- robust community involvement and engagement from the beginning and throughout the plan-making process
- involving and engaging with as many people as possible, including minority groups
- basing the content of the plan on firm evidence and on the outcomes of the community engagement programme and explaining how this has been done
- explaining key decisions made in producing the plan
- openness and transparency in the plan-making process
- clearly explaining the choices and compromises made in the plan
- addressing the diverse range of local needs and wants

There are limitations on things like campaign expenditure. The local authority will be able to advise on this.

# Neighbourhood Planning Worksheet 8

## Delivery of the Neighbourhood Plan

A Neighbourhood Plan is a framework for an area's development. To deliver the plan's aims, a range of approaches will be needed.

### Development and Planning Decision Making

**Development.** The policies and guidance in the Neighbourhood Plan will guide the location, design and sustainability of new development, helping to ensure it contributes to the vision and aims of the plan.

**S106 Obligations.** Section 106 Obligations may be used to fund the improvement of local infrastructure, where such improvements are necessary to allow the development to go ahead.

**Community Infrastructure Levy.** Where local economic conditions allow, the local planning authority may set a CIL, to raise funds for community infrastructure.

### Funded Projects

It may be possible to apply for funding for local projects. The challenge is to match funder aims and criteria to the project you are trying to deliver.

Funding sources could include:

**Government National Programmes.** Government programmes are constantly changing, with new funding streams replacing older ones e.g. the introduction of

the Regional Growth Fund. Local authorities, Local Enterprise Partnerships and grant-finding software can assist in identifying funding opportunities.

**Lottery Funds.** These can sometimes offer relatively high-rate grants for projects that deliver their aims. They include the Heritage Lottery Fund, Big Lottery and Arts Council and Sports England.

**European Funding.** This is administratively complex and availability depends on location. Local authorities should be able to advise on availability.

**Private Funding.** In some instances, it may be possible to obtain funding from private donors, local companies and local institutions or they may be prepared to directly deliver projects.

### Delivery Vehicles

It might be useful to set up specific organisations to help deliver the plan's aims. These could include:

- community development trusts or building preservation trusts
- formal or informal partnerships (see below)
- community or social enterprises
- housing trusts or cooperatives

## Partnerships and Collaboration

Increasingly, partnerships and joint or cooperative working are the means to delivering regeneration and community projects. Potential partner organisations can include:

- housing associations and housing trusts
- community development trusts
- building preservation trusts
- other not-for-profit and community organisations
- local authorities
- health and social care bodies
- local Enterprise Partnerships
- private developers
- local firms
- local institutions
- universities and educational institutions

## Local Authorities and Other Public Service Providers

Local authorities deliver a range of services, often involving large budgets.

They can include:

- management of parks, playgrounds, pedestrian and cycle paths, verges and open space
- school building and improvement
- provision of health and social care facilities
- libraries, leisure centres, markets and community centres
- streets and public spaces
- signage, street furniture and public car parks
- maintenance and management of public buildings

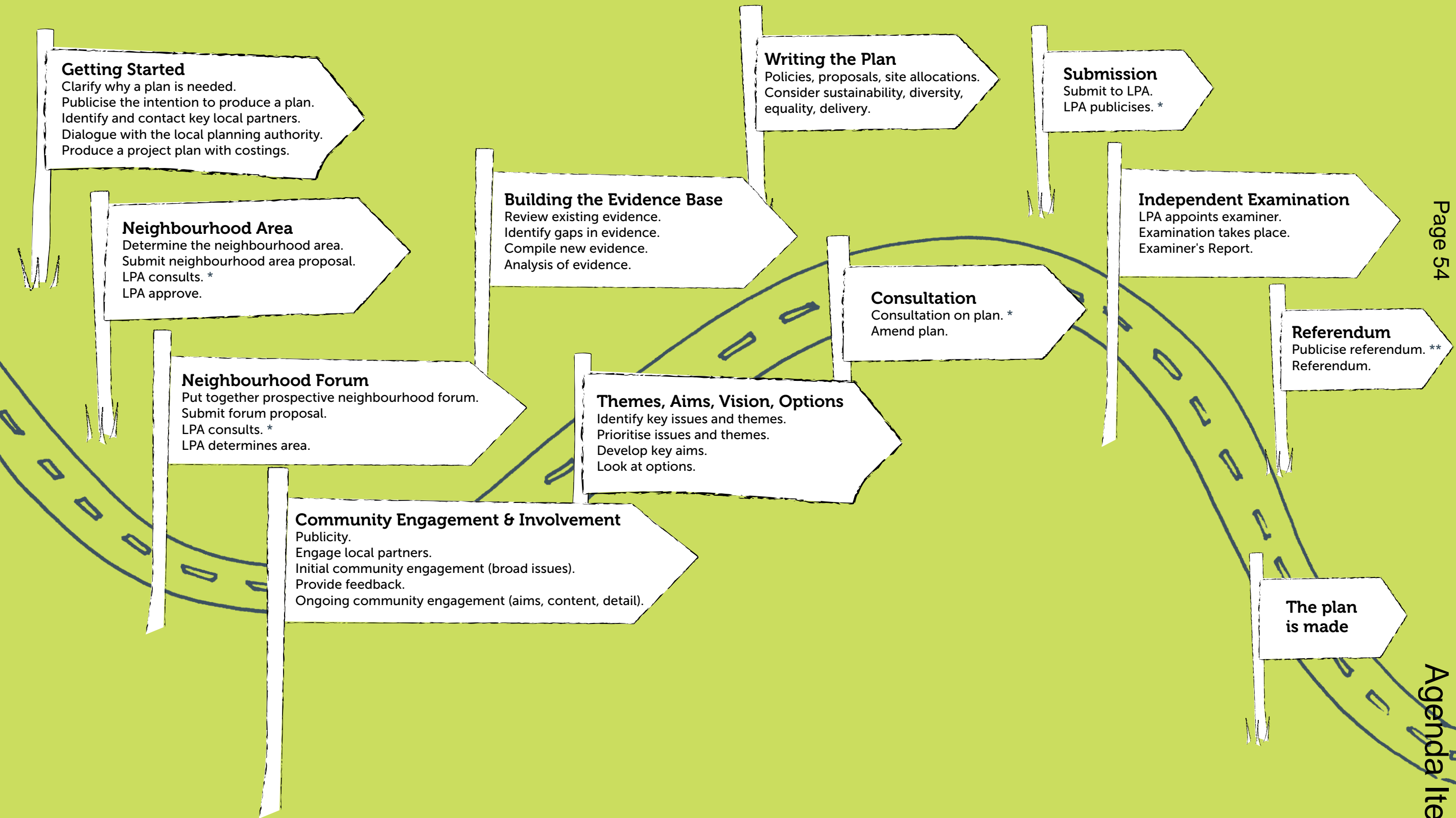
A Neighbourhood Plan can form the basis of discussions and negotiations on how services and new facilities are provided.

The 'community right to challenge' could be used to give local communities an opportunity to take on the management of some facilities or services.

Local authorities should also adopt policies on 'asset transfer' to local community groups.



# Neighbourhood Plan Process



\* Minimum time - 6 weeks  
\*\* Minimum time - 25 working days