

Neighbourhood planning

April 2015
www.pas.gov.uk

What is PAS ?

- PAS is a DCLG grant-funded programme but part of the Local Government Association
- Governed by a 'sector led' board
- 10 staff – commissioners, generalists, support

“PAS exists to provide support to local planning authorities to provide efficient and effective planning services, to drive improvement in those services and to respond to and deliver changes in the planning system”

This Briefing will...

Help councillors understand Neighbourhood Planning (NP) and their role at the different key stages

The briefing will cover:

- Introduction to the Neighbourhood Planning
 - A short summary of the processes
 - The opportunities offered by NP
 - Understanding the needs of NP groups
 - Role opportunities and skills needed
 - What you can do to help to develop better NP
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Introduction to the Neighbourhood Planning process



Context

- Localism Act 2011
- NP regulations 2012
- Community rights
 - Community Right to Build
 - Community Right to Bid
 - Community Right to Challenge
- Section 106 and Community Infrastructure Levy
- Neighbourhood Development Plans
- Neighbourhood Development Orders



Localism Act 2011

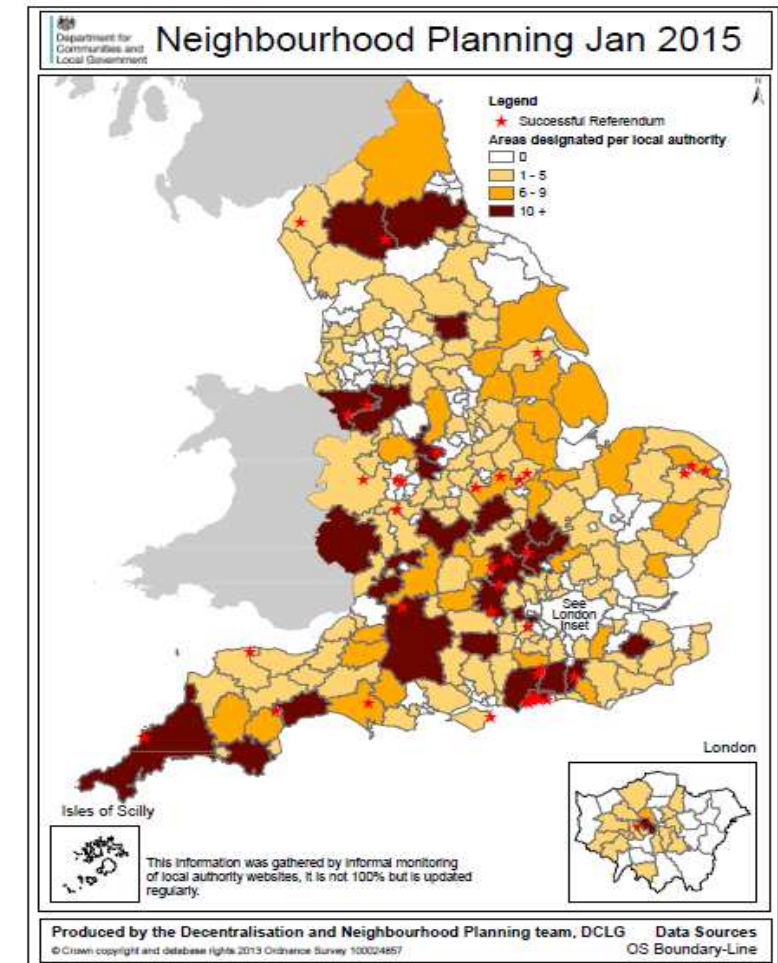
Neighbourhood Plan snapshot

- 1335 applications for designation
- 1058 designated areas
- 76 plans at or passed examination
- 1 NDO passed examination
- 54 through referendum
- 37 plans made
- Ave turnout 32%
- Average yes vote 87%
- 57% LPAs with NP areas designated

» Numbers from June 2014

National Picture

- A variety of neighbourhoods are engaging in neighbourhood planning; north and south, urban and rural. Each with a number of challenges and opportunities that are driving plans.



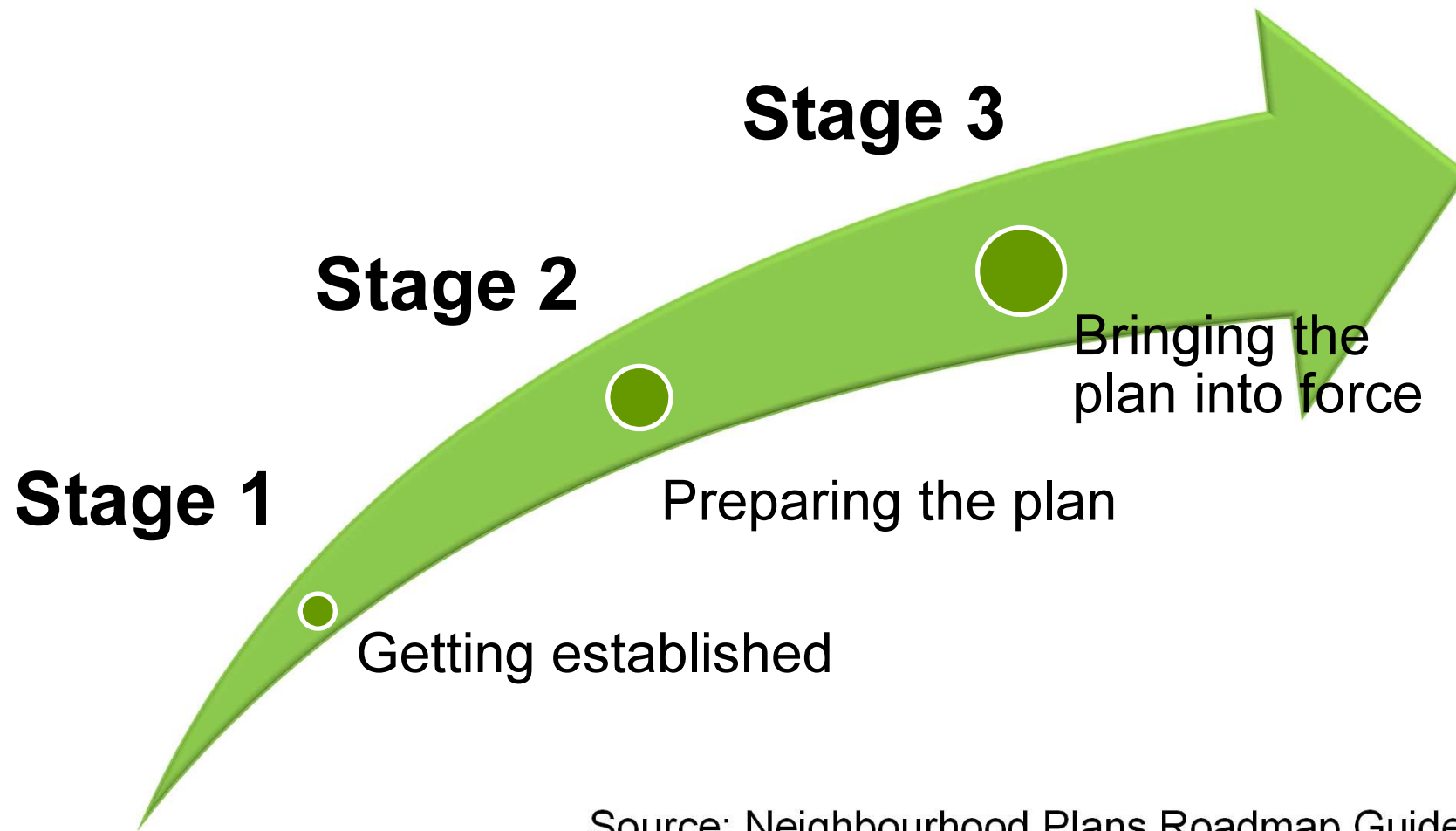
Neighbourhood planning

- Ultimate aim is to give **communities more power** over development and shift attitudes to local growth
 - Localism Act introduced new right for communities to draw up a '**neighbourhood plan (NP)**'
 - Provided NP is in line with national planning policy, with the strategic vision for the wider area set by the Local Planning Authority (LPA), and with other legal requirements, local people will be able to vote on it in a **referendum**;
 - Local authority required to bring NP into force if approved by a majority of over 50%
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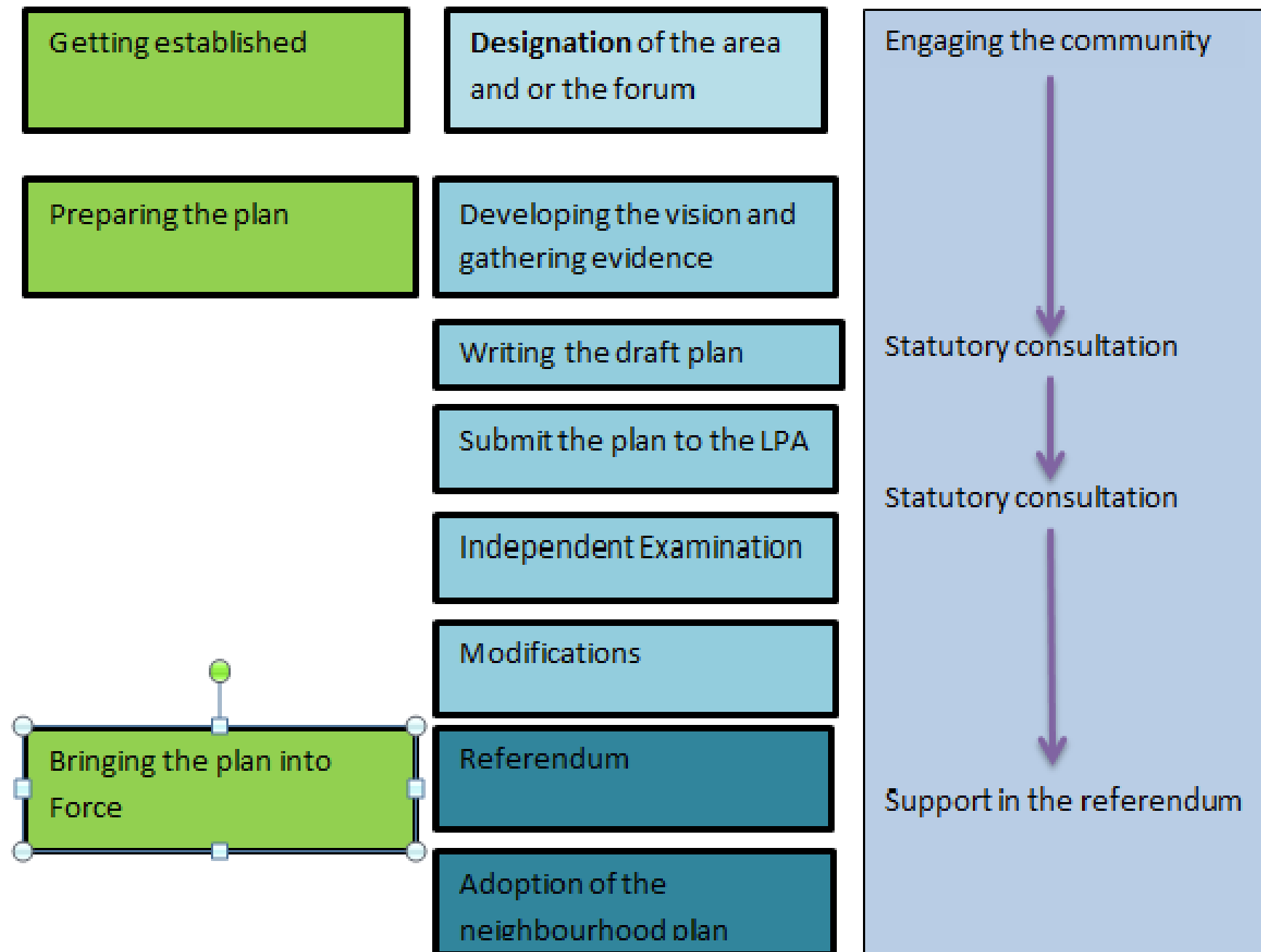
Neighbourhood planning 'givens'

- Neighbourhood led, intensely local
 - Proportional, light-touch but robust
 - Flexible enough to inspire innovation and creativity
 - Builds on existing evidence & deals with gaps
 - Supporting growth - exploring ways of enabling community supported development
 - Takes lead from the local plan strategic policy context and interprets locally
 - New, more equal? basis for partnership work with local authority
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Key stages of neighbourhood planning



Source: Neighbourhood Plans Roadmap Guide. Locality
<http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>



Getting started: Qualifying Bodies

Non-Parished Areas:

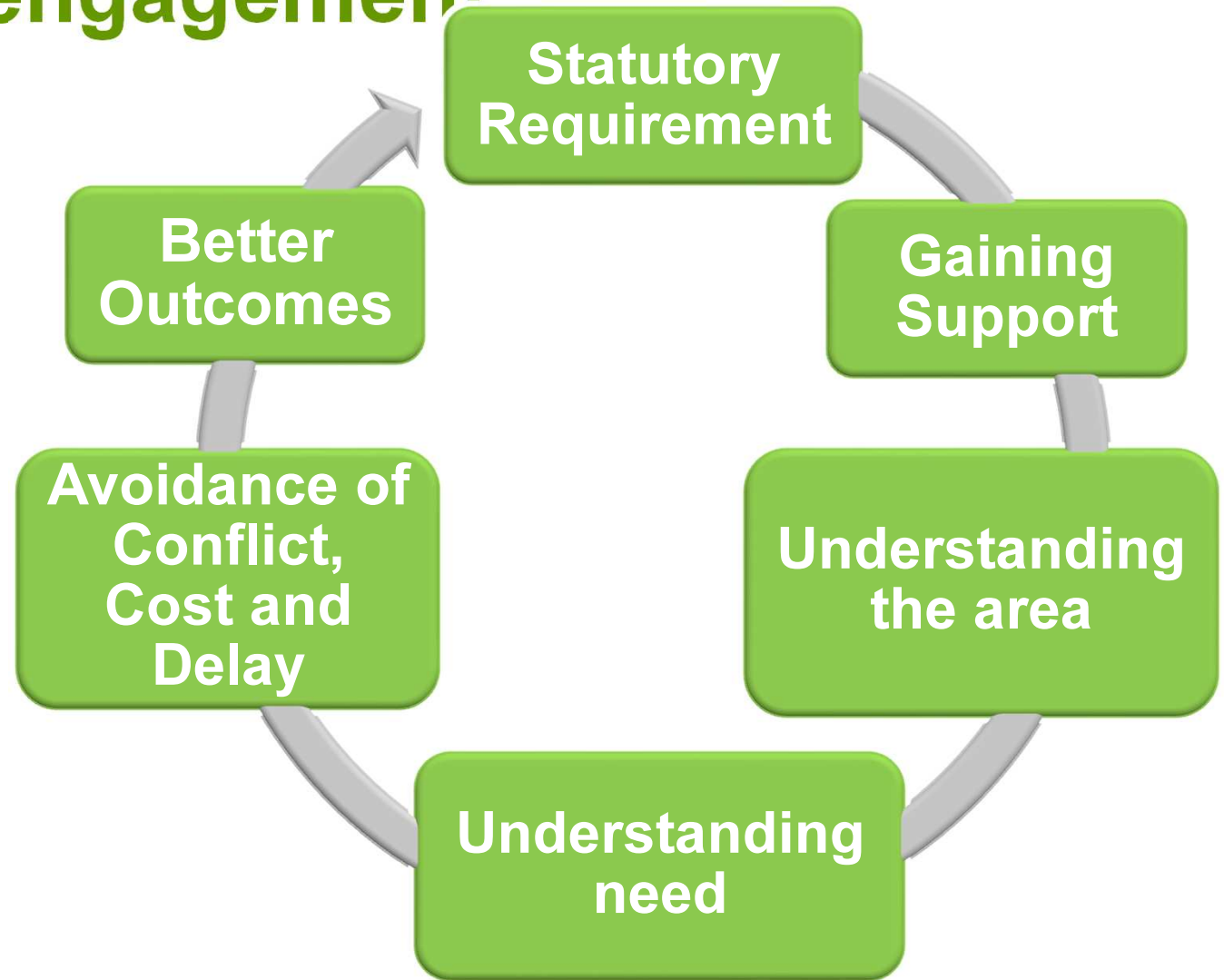
- New body, a neighbourhood Forum with minimum of 21 members and 1 (district or county) councillor. Forum would have to show they have tried to involve a Councillor. Councillors are 'allowed' on to a forum.
- Reflective of those living or working in the area
- Community, individual and business presence
- Statement explaining that the lead body is capable of being a qualifying body

Parished Areas:

- Local Parish or Town Council is automatically lead body
 - Steering group to involve other parties/individuals. A district/county councillor can be 'invited' to sit on the steering group by the parish
 - Draft plan needs approval of full parish council
 - District or county councillors can sit on steering group
 - Multi-parish plans for less populated areas with common issues
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Plan preparation: Evidence and community engagement†

“Effective community engagement and a robust evidence base are the pillars on which a good Neighbourhood Plan will be built.”
(adapted from Locality Roadmap)



Plan submission and examination

- Pre-submission consultation by the neighbourhood group (6 weeks)
 - Submission to the local planning authority
 - Post submission consultation by the Local Planning Authority (6 weeks)
 - Selection of examiner (joint decision)
 - Examination (which may include a hearing)
 - Examiners report containing suggested modifications
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Independent examination

What are the 'Basic conditions? Plans and orders must

- have appropriate regard to national policy
 - contribute to the achievement of sustainable development
 - be in general conformity with the strategic policies in the development plan for the local area
 - be compatible with human rights requirements
 - be compatible with EU obligations
- (for NDOs its also necessary to have regard specifically to heritage and conservation)
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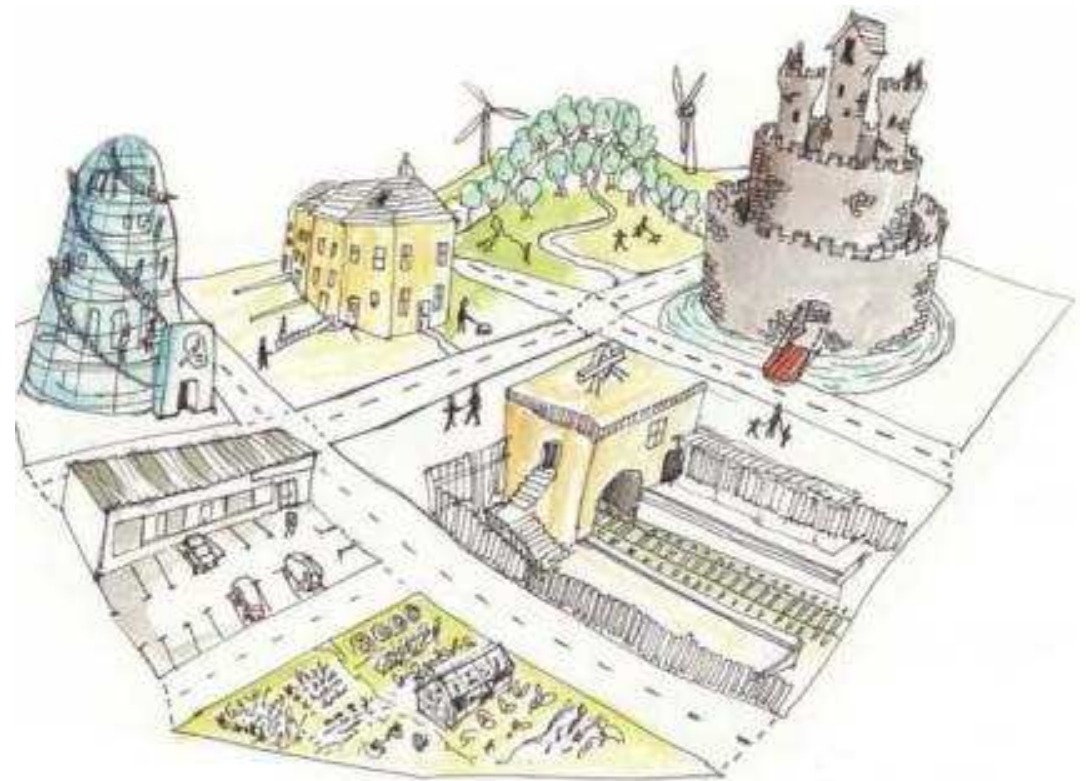
The LPA's responsibilities

- To publish applications for NP areas and forums on your website for 6 weeks
 - To agree and formally designate areas and forums
 - To provide technical support and assistance to groups
 - Following submission of the draft plan, to satisfy itself that the plan complies with statutory requirements
 - To organise a 6 week consultation period
 - To pay for and arrange for examination by an independent examiner
 - To take a formal view on whether the basic conditions are satisfied
 - To arrange and pay for the referendum
 - To publicise and bring the plan into force.
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Neighbourhood Planning Funding

NP new burdens funding for Councils 2015-16	NP group support 2015-18
First payment of £5000 (per designated area). Up to 20 per LPA. Plus further £5000 for NF designations.	Pot of £22,5m to fund direct support and grant payments up to 2015-18.
Second payment of £5000 when the council publicises the NP prior to examination (to pay for examination and consultation as well as support and advice during plan preparation)	Administered by Locality , grant payments – up to £8,000 per neighbourhood area,, to contribute to costs incurred by the group preparing a neighbourhood plan or order. Some addition funding available for priority groups
Third payment of \$20,000 upon successful completion of the examination (to pay for the referendum) with an additional £10,000 for a business referendum.	Direct support – advice and support, tailored to meet the needs of supported neighbourhoods. Led by Locality and

Neighbouring Planning: why are people bothering??



Community Motivation

- Recognising local priorities
- Setting up for positive growth
- Influence over development gain
- Regeneration possibilities
- Bringing key players together
- Anticipating the future
- Balance of development
- Getting the detail right



Plan implementation: CIL

The Localism Act sets out what neighbourhood CIL can be spent on:

the **provision, improvement, replacement, operation or maintenance of infrastructure** - or **anything else** that is concerned with **addressing demands** that development places on an area.

“If you want to re-roof your village hall, build a permanent home for your community shop, refurbish the municipal swimming pool, implement a new landscape design in your local park or save your local pub, look no further.”

Nick Boles: ‘Housing the Next Generation’ speech on
10 January 2014

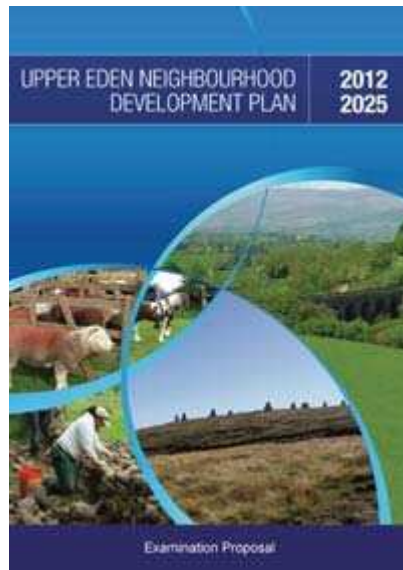


Plan Implementation - CIL

Parish council Neighbourhood Plan = 25% uncapped, paid to Parish	Parish council Neighbourhood Plan X = 15% capped at £100 / dwelling, paid to Parish
Parish council X Neighbourhood Plan = 25% uncapped, local authority consults with community	Parish council X Neighbourhood Plan X = 15% capped at £100 / dwelling, local authority consults with community

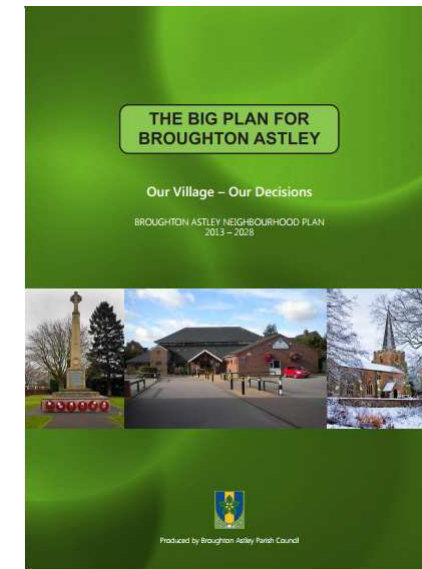
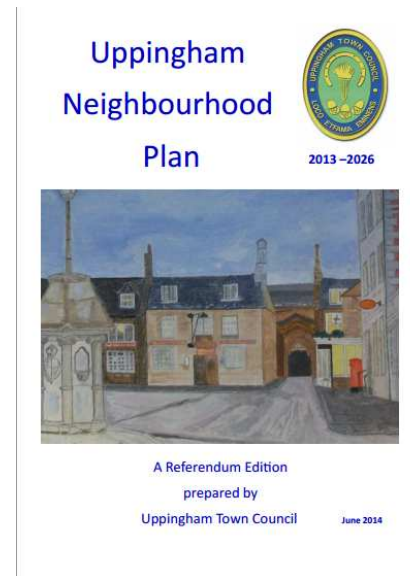
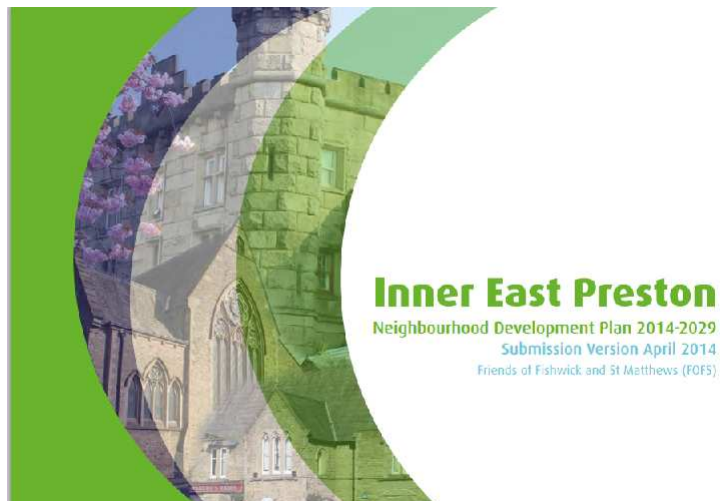
Examples of motivation for Neighbourhood Planning

- Long term housing trends (Exeter St. James)
- Solving neighbourhood-level housing problems (Upper Eden)
- Maintaining market town character (Thame)
- Development that meets local needs (Denmead)
- Rebalancing the local economy (Caterham)



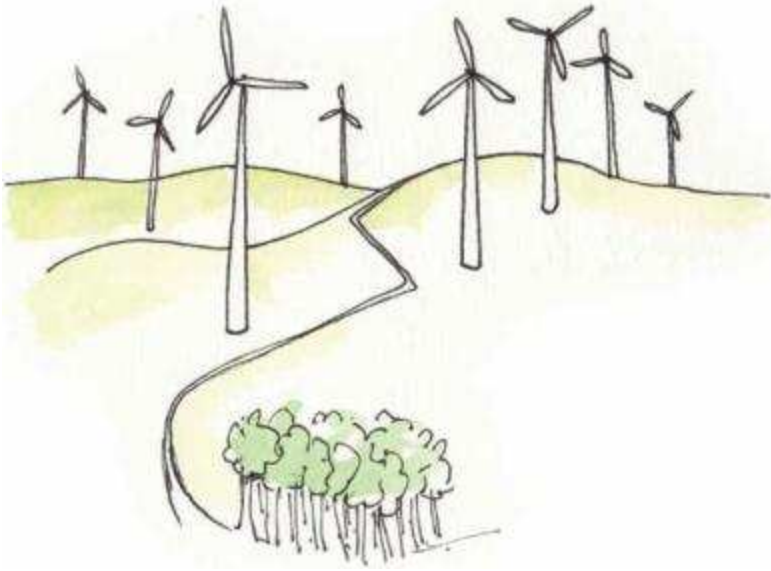
Examples of motivation for Neighbourhood Planning

- Improving connectivity (Uppingham)
- Choosing preferred development options (Broughton Astley)
- Town centre vitality and character (Cockermouth)
- Improving the image and reducing dilapidation (East Preston)

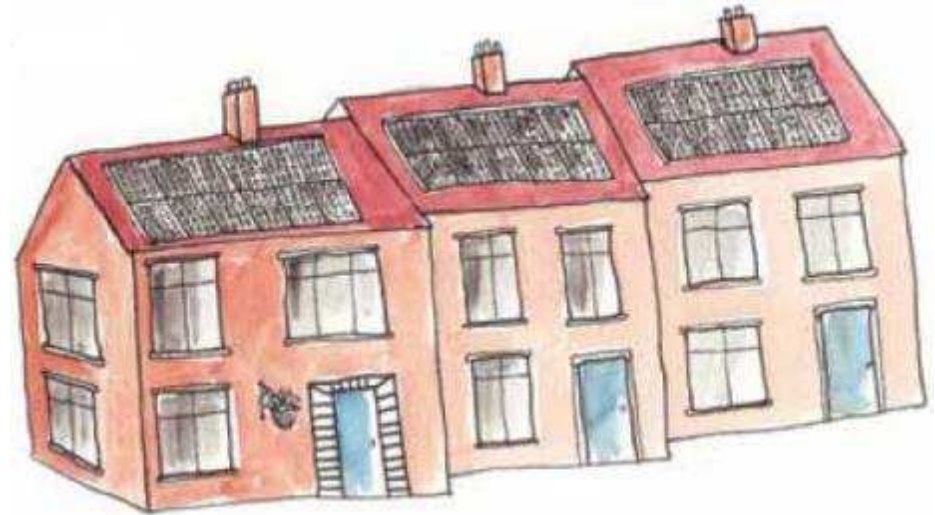
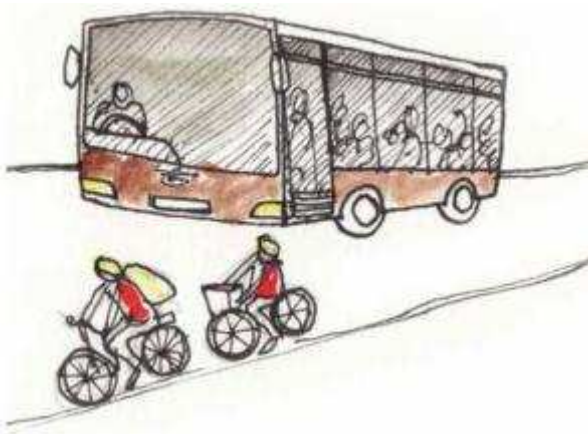


The value for Councillors

- Can neighbourhood planning help address longer term Ward concerns more effectively than traditional planning?
 - Can neighbourhood planning help to deliver growth in an acceptable form?
 - Can neighbourhood planning provide a channel for addressing common issues raised in your surgeries?
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Skills and knowledge

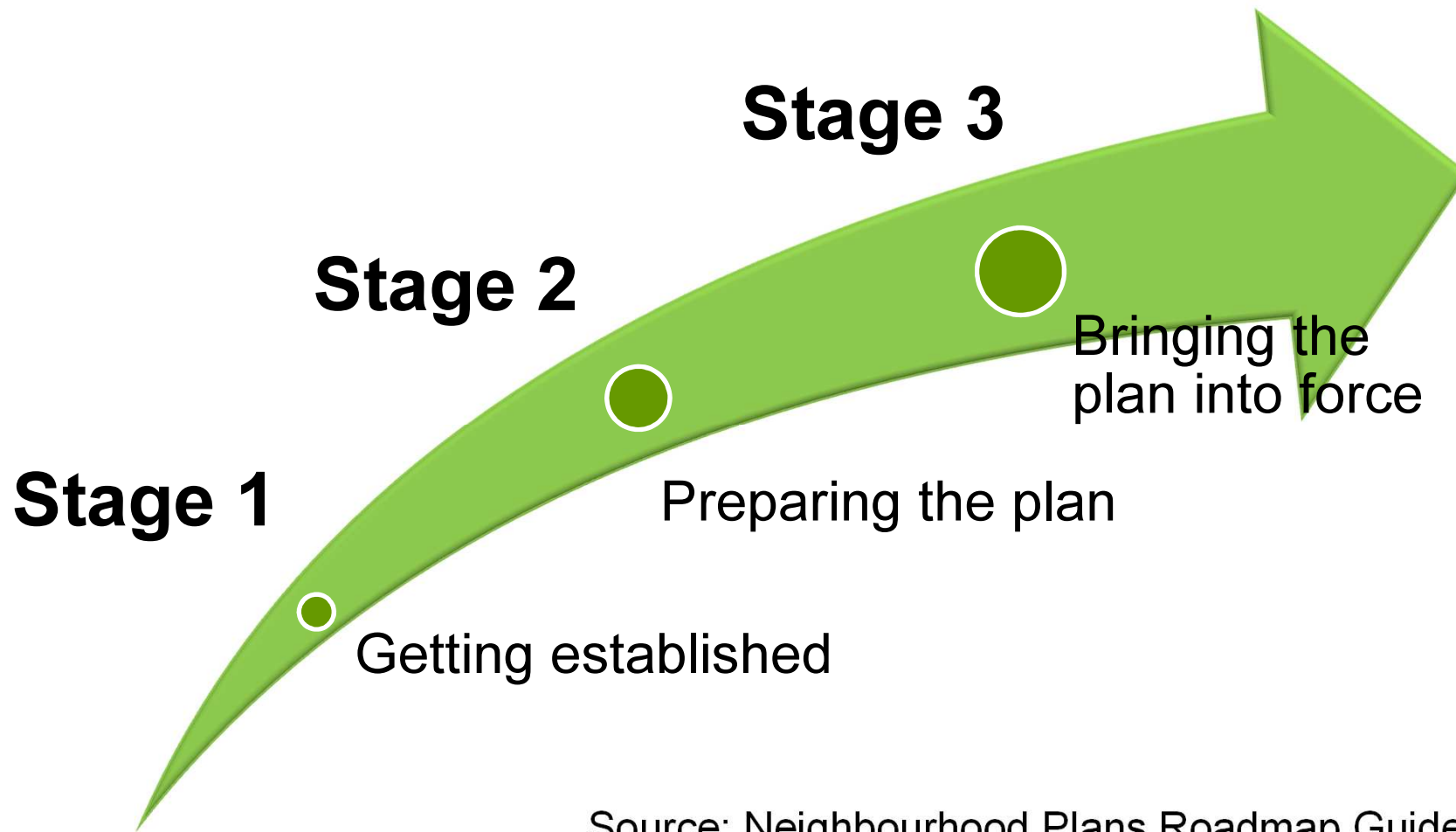


Skills

What skills are necessary to support a Neighbourhood Forum/Parish Council?

Role	Skill/Trait
Encourager	Enthusiasm, motivation, vision
Informer	Relating essential information
Connector	Contacts, good timing
Mediator	Honest broker
Leader	Confidence, empathy, inspiration, honesty
Technical Interpreter	Fact finding, explainer

Key stages of neighbourhood planning



Source: Neighbourhood Plans Roadmap Guide. Locality
<http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

Roles for Councillors in NP



Stage 1

Getting established

joining your parish/town councils or neighbourhood forums when they first form

Leader

- Put in place LA resources for advice and support

Informer

- Understand and explain NP process and sources of funding

Encourager

- Encourage participation from the wider community and support community engagement

Connector

- Talking to potential members amongst community groups, residents associations, business forums; using officer contacts

Mediator

- Mediate where overlapping boundaries/areas; negotiating LPA support

Roles for Councillors in NP



Stage 2

Preparing the plan

Share and expand your local knowledge and network.

Informer

- Understand and inform help/support needed by community groups
 - Manage community expectations
 - Help to promote the plan with the wider community and local areas
 - Feed in surgery issues & broader policy discussions in council
 - Ensure the issues identified in a NP are representative of needs on the ground
 - Work with other ward members to represent the interests of your local areas
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Roles for Councillors in NP

Stage 2

Preparing the plan

Share and expand your local knowledge and network.

Leader

- Work/connect communities, local business, residents, schools, service providers
- Encouraging evidence sharing and engagement across two tiers of local government
- Champion your area within the context of the authority's strategic needs and plans

Mediator

- Mediate to address conflicts between stakeholders on policies to adopt

Technical interpreter

- Finding support on technical skills & interpretation of strategic policy
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Roles for Councillors in NP



Stage 3

Bringing the plan into force

Encourager

- Getting out the vote

Informer

- Keep involved and informed stakeholders (e.g. web-based resources)
- Check NP draft against legislation

Mediator

- Considering modification suggested by the examiner

Leader

- Talking to developers as they come forward
 - Agreeing on implementation of the plan and assisting delivery
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Conclusions and closing remarks

- Councillors play a key role in neighbourhood planning.
 - ‘Gatekeeper’ between community and LPA
 - Can speed up the process, break down barriers, engage different groups
 - In-depth knowledge and passion for local areas
 - **Neighbourhood planning – much more opportunity than risk!**
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Some more technical points



Learning from experience....

- *“ We have, I think, now reached the point where there has been enough experience of neighbourhood planning with enough different kinds of communities for us to learn lessons and to ask whether there is not a version of neighbourhood planning that might be more easily accessible and quicker for some communities. We are doing that work, and we are very keen to hear from any hon. Members and communities with their thoughts on how we can achieve that”.*
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Government review

Following a review of processes and consultation further changes have been made. LPAs must now

- make a decision on an application for a neighbourhood area to be designated in a prescribed period
 - submit with a neighbourhood plan a statement or environmental compatibility report to satisfy obligations under the Strategic Environmental Assessment Directive
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Emerging Themes - Process

- **Boundaries** – particularly in urban areas. Wards v neighbourhoods
 - **Enthusiasm of LPAs** to actively support. Keeping positive?
 - **Resources**
 - for councils – how to match resources with levels of NP interest
 - for NP groups – commissioning support,
 - **Motivation and Pacing** – keeping an eye on the goal and trying to keep things simple.
 - **Websites** - popularity of Neighbourhood Forum websites
 - **Diversity of groups** - to give both plan making and plan itself more legitimacy
 - **Input** from businesses as well as residents
 - **Evidence vs Opinion** – what is the role of each?
 - **Landowners and Developers** - when to meet, how to handle people with sites/developments to promote
 - **Choosing between alternatives** – making sure that an audit trail exists, understand and consider impacts, a strategic environmental assessment (SEA) might be required
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Emerging Themes - Policy

- **When, where and pacing of development** - coming to terms with housing allocation from higher plans
 - **Site Assessment** - adopting good, fair, consistent and reliable assessment criteria and showing careful process when considering alternatives. Usefulness of a green, amber, red system
 - **Deliverability** – plans need to have a realistic chance of achievement
 - **Relationship between the local plan and NP** - particularly influence over strategic sites and situation where no up to date local plan or the emerging plan has yet to be tested for soundness
 - **Housing** - limiting density (Daws Hill), pace of development (Tattenhall) loss of family housing, limiting houses in multiple occupation (Exeter St James), boosting specialist and affordable housing (many areas)
 - **Employment:** Facilities for home-working and bolstering SMEs; high speed broadband, boosting local employment
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Emerging Themes - Policy

- **Retail:** Upgrading of local parades – bring back the high-street, conversion of residential to retail; limiting excessive concentration of e.g. takeaways & charity shops
 - **Public Realm** pedestrian safety, green routes, the walking neighbourhood, crossing points shade, tranquillity
 - **Historic/ Essential Character** – getting across the character of a place in planning terms, design codes etc
 - **Education** – engaging with the county and with academies and free schools
 - **How to offer more protection** - of trees, green/open spaces, buildings, allotments gardens, biodiversity (e.g. railway corridors)
 - **Thinking sustainably** – not particularly easy for rural communities reliant on car or groups without a transition town type input
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Contact us

email **pas@local.gov.uk**

web **www.pas.gov.uk**

phone **020 7664 3000**