

Neighbourhood Planning

# Developing a Neighbourhood Plan

Published March 2015



Waveney District Council  
Serving the Community

in partnership

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## Overview

Waveney District Council and Suffolk Coastal District Council have been working with Suffolk ACRE (now Community Action Suffolk) and Suffolk County Council to support a number of towns and parishes in the districts to develop and deliver their community led plans. A range of different approaches have been used including parish plans, town plans and village reviews. These approaches all aim to identify a community's ambitions for their local area and an action plan to achieve them. Although these types of community led plans don't carry statutory weight, they have helped communities deliver local projects such as the provision of new community facilities.

The Localism Act 2011 introduced new rights for communities including tools that can be used to influence how their local area develops. These new tools are Neighbourhood Development Plans, Neighbourhood Development Orders and the community right to build. These are similar to parish and town plans in that they are not compulsory and they must be community led. However, the key difference is that they carry statutory weight and once the necessary processes have been successfully completed and the plan or order is adopted by the Council, they become part of the Local Plan and will be used to make decisions on planning applications. An important thing to keep in mind is that none of these plans can be used to stop development.

**Part 1** is a guide to help communities understand the options available to them by explaining the different types of community plan, the benefits and/or limitations of each type of plan to be able to make an informed decision about which approach is appropriate for them.

**Part 2** explains how to get started, practical advice on how to get the community involved in the process to come up with issues and options and how these can be turned into a vision and objectives.

**Part 3** provides practical advice on developing a plan and describes what needs to be done and when. It includes details of the early formal stages such as designating a Neighbourhood Area and Neighbourhood Forum and how the Council will support the process.

**Part 4** explains the formal processes from submission of the plan to the Council, through the examination process and formal adoption.

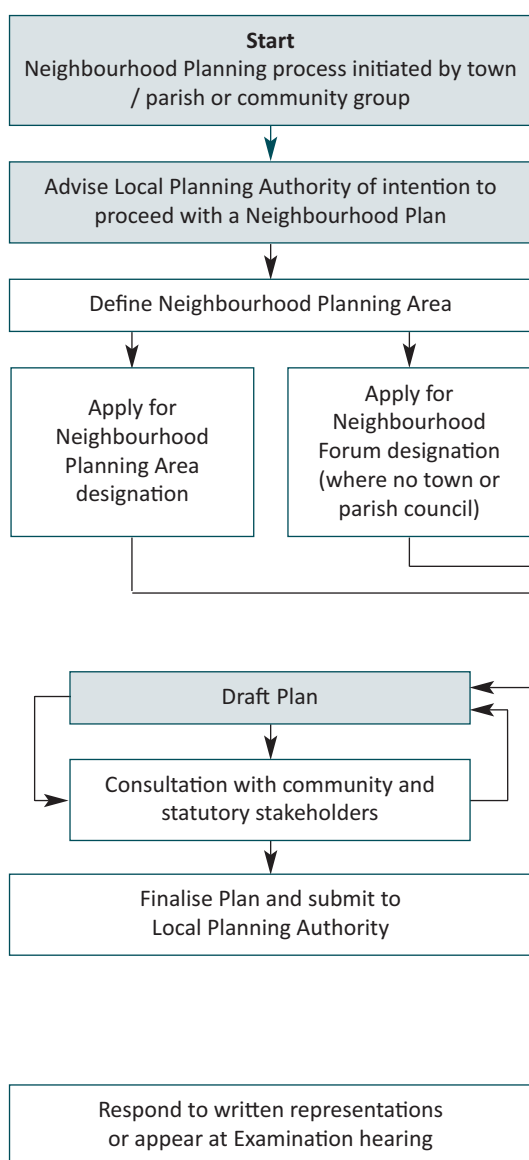
**Part 5** provides further detail on where to find other help and advice and current sources of funding.



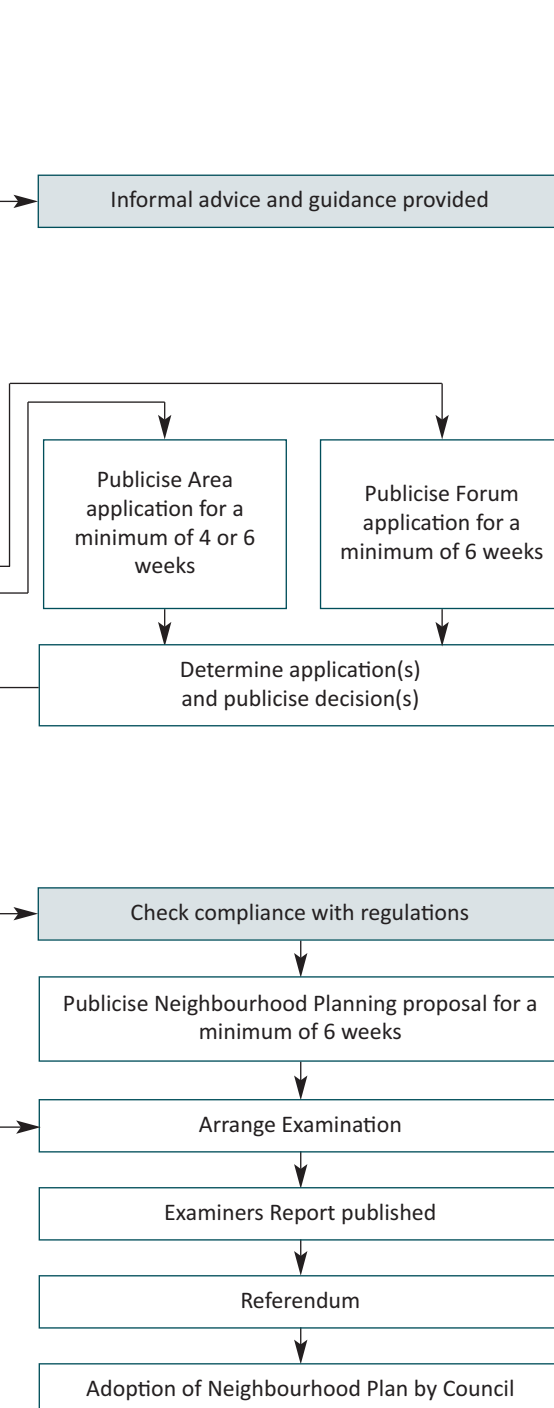
## Developing a Neighbourhood Plan

Before you can move forward with developing your plan further there are formal stages that you have to carry out first. You will have to designate your Neighbourhood Area and if you live in an unparished area (this applies only to Lowestoft and villages that do not have a Parish Council), you will also need to apply to the Council to formally designate your Neighbourhood Forum.

### Community / Town / Parish



### Local Planning Authority



## What is a Neighbourhood Forum?

Neighbourhood Forums are community groups including those with business interests in the area, designated to take forward neighbourhood planning in areas without parishes (ie Lowestoft, Covehithe, Dunwich). Only one Neighbourhood Forum is allowed to exist for each neighbourhood to be covered by a Neighbourhood Development Plan.

There are certain rules that will determine whether a Neighbourhood Forum has been correctly set up and these are set out below: -

### Setting up a Neighbourhood Forum

- ✓ Membership of the Forum must comprise of at least 21 people;
- ✓ Membership of the Forum must be of people who live, work or are an elected member of the Neighbourhood Area;
- ✓ The Forum must be established for the purpose of promoting or improving the social, economic and environmental well being of the area; and
- ✓ It must have a formal written constitution.

It is important that applications demonstrate that these conditions have been met. If this is not demonstrated, the Council will not be able to approve your application.

### Designating your Neighbourhood Forum

You will need to apply to the Council to designate your Neighbourhood Forum. This application should be made at the same time as applying to designate the Neighbourhood Area (see below). An application form is available to download from the Council's website [www.waveney.gov.uk/neighbourhoodplanning](http://www.waveney.gov.uk/neighbourhoodplanning) or contact the Council for a copy. Your application must include: -

- The name of your proposed Neighbourhood Forum;
- A map of the Neighbourhood Area;
- The contact details of at least one member of the Forum that can be made public;
- A copy of the Forum's written constitution; and
- A statement that explains: -
  - a) the purpose of the Forum;
  - b) who membership is open to;
  - c) how many people are on the Forum and whether they are connected to the Neighbourhood Area, and;
  - d) that there is a written constitution.



### What will the Council do?

On receipt of a Neighbourhood Forum application the Council will check the application against the requirements of the regulations as set out on the previous page and then: -

- Publicise the application on the Council's website;
- Set out details of how to make representations; and
- Set out when responses should be made by.

After a period of not less than 6 weeks and if the application has complied with the neighbourhood planning regulations the Local Planning Authority will designate the Neighbourhood Forum.

After designating a Neighbourhood Forum the Local Planning Authority will publish details of the designation on the Council's website that will include: -

- The name of Neighbourhood Forum;
- A copy of the written constitution;
- The name of Neighbourhood Area; and
- The contact details of a member of the Neighbourhood Forum.

### What Geographical Area can a Neighbourhood Plan Cover?

The area covered by a Neighbourhood Development Plan would usually be consistent with parish or ward boundaries. However, it could also be: -

- Part of the parish/ward if this can be justified as reasonable; or
- Across neighbouring parish or ward boundaries where there are cross boundary issues that would benefit from producing a joint plan. In this case the town or parish making the application has to obtain the consent of the other town and parish councils in the proposed Neighbourhood Area.

Neighbourhood Areas and Neighbourhood Development Plans cannot overlap and there can only be one plan per Neighbourhood Area so it is important that careful consideration is given to deciding the extent of your Neighbourhood Area.

## Agree a Boundary

Below are some tips for establishing the boundaries of your Neighbourhood Area: -

- Make sure your area reflects a real neighbourhood that people identify with, this will not necessarily align entirely with formal ward or parish boundaries;
- Have a look at existing area boundaries (e.g. council wards, conservation areas, areas identified in the councils planning documents) to guide your Neighbourhood Development Plan boundary;
- The bigger the area the more complex the planning issues – and the more difficult it will be to secure backing from the community;
- Check with neighbouring communities. If they are also planning a Neighbourhood Development Plan you will need to agree a boundary so areas do not overlap.
- Check with neighbouring communities to see if there are opportunities or desire to produce a joint plan.

Ultimately it is for the community to define the geographical area to be covered by their Neighbourhood Development Plan, although the Council has a role in checking that a proposed Neighbourhood Area meets the required legal standards and has local community support. This is done by applying to the Council to formally designate your Neighbourhood Area.

## Designating a Neighbourhood Area

### 1. Submit an application form

The Parish Council, Town Council or Neighbourhood Forum must make an application to the Council to designate a 'Neighbourhood Area'. Applications must include: -

- An Ordnance Survey plan with the Neighbourhood Area outlined in red;
- A statement explaining why this area is considered appropriate to be submitted;
- A statement confirming that a relevant body is making the application, i.e. the Parish Council, Town Council or designated Neighbourhood Forum.

Download an application form from:

 [www.waveney.gov.uk/neighbourhoodplanning](http://www.waveney.gov.uk/neighbourhoodplanning)

 [www.suffolkcoastal.gov.uk/neighbourhoodplanning](http://www.suffolkcoastal.gov.uk/neighbourhoodplanning)

The Neighbourhood Area will need to be accepted by the Council before the plan can move to the next stage.



## **2. Application publicised on the Council's website**

The application will be publicised on the Council's website for a minimum of 4 weeks (a minimum of 6 weeks where the application falls within the areas of two or more local planning authorities) and public notices will be displayed in prominent locations across the neighbourhood Area. Details of how people can make representations will be provided on the website and public access.

The Council will consider any representations received and will decide whether the Neighbourhood Area designation can be supported and formally designated.

### **3.a. Neighbourhood Area is designated**

If a Neighbourhood Area is designated the Council will inform the Parish/Town council(s) or Neighbourhood Forum in writing of the decision and publicise details on their website and within the Neighbourhood Area.

### **3.b. Neighbourhood Area is refused**

If the Neighbourhood Area is refused, the Council will publish the decision outlining its reasons, along with details of how to resubmit.

## **Drafting a Plan**

By this time you will know that your community support producing a Neighbourhood Development Plan. You have gone through the initial formal stages of neighbourhood planning by designating your Neighbourhood Area and where required your Neighbourhood Forum. Your neighbourhood planning powers have now been enacted. The next stage is to begin to draft your plan.

### **What to do first - Developing Options**

You will already have a draft of your vision and objectives and now you should start considering the content of the plan.

Considering different options can help you decide what will work well for your community and what will not. Having alternatives will also enable you to gather the local community's views on which option they would prefer. It will then be possible to formulate the details of the plan, such as an appropriate draft policy or site allocation.

### **Sustainability Appraisal and Strategic Environmental Assessment**

There is no legal requirement for a Neighbourhood Plan to have a sustainability appraisal. However, a qualifying body must demonstrate how its plan or order will contribute to achieving



sustainable development. A sustainability appraisal may be a useful approach for doing this and the guidance on sustainability appraisal of Local Plans should be referred to.

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and so require strategic environmental assessment.

One of the basic conditions that will be tested by the examiner is whether the making of the Neighbourhood Plan is compatible with European Union obligations.

Whether a Neighbourhood Plan requires a strategic environmental assessment and the level of detail needed depends on whether the draft plan: -

- Allocates land for development;
- The neighbourhood Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; or
- The Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through sustainability appraisal of the Local Plan.

To decide whether a draft Neighbourhood Plan might have significant environmental effects, it is important that the policies and content of the plan are assessed at an early stage. The local planning authority will undertake an initial screening opinion on behalf of the qualifying body to determine whether a strategic environmental assessment is required. Where a strategic environmental assessment is required, the qualifying body is responsible for producing the report.

More information on Sustainability Appraisal can be found at [www.levett-therivel.co.uk/DIYSA](http://www.levett-therivel.co.uk/DIYSA). This provides a good guide to undertaking an SA and SEA (Strategic Environmental Assessment).

### **Appropriate Assessment**

Appropriate Assessment follows a similar principle to Sustainability Appraisal and may be relevant to some Neighbourhood Development Plans. This specifically considers the wider implications of the plan on European sites of ecological importance (Natura 2000 sites) within the area, including:



- Alde to Ore Estuary SPA and Ramsar
- Benacre to Easton Bavents SPA
- Breydon Water SPA and Ramsar
- Broadland SPA and Ramsar
- Colne Estuary SPA and Ramsar
- Deben Estuary SPA and Ramsar
- Hamford Water SPA and Ramsar
- Minsmere to Walberswick SPA & Ramsar
- Outer Thames Estuary SPA
- Redgrave & South Lopham Fens Ramsar
- Sandlings SPA
- Stour and Orwell Estuaries SPA and Ramsar
- Alde to Ore and Butley Estuaries SAC
- Benacre to Easton Bavents Lagoons SAC
- Dew's Pond SAC
- Essex Estuaries SAC
- Minsmere to Walberswick Heaths and Marshes SAC
- Norfolk Valley Fens SAC
- Staverton Park and the Thicks SAC
- The Broads SAC
- Waveney and Little Ouse Valley Fens SAC

A Sustainability Assessment, Strategic Environmental Assessment or Appropriate Assessment where required, does not need to be complicated and will vary depending on the type of planning document you produce. The planning team can give guidance for this work.

### Types of option

Different options may have come from the Parish or Town Council, from the Neighbourhood Forum, or as a result of consultation with the wider community, which identified the key local issues in the Neighbourhood Area.

The type of options to consider will depend on the sort of plan you are preparing.

If your Neighbourhood Development Plan is going to allocate sites for development it should identify: -

- What sort of development will it promote;
- Where this development will go;
- When development is likely to take place; and
- Who will make the development happen.

Different options should consider: -

- Is this the best location for development?;
- For housing development – How many, what type (i.e. affordable housing)?;
- Is there a better use for the land? Alternatives that the local community may have identified as being appropriate;
- What constraints does the site have which would impact on development?;

- Are there any existing designations, allocations or policies appropriate to the site(s) in the Local Plan?;
- What infrastructure will be needed to deliver the development (i.e. roads, utilities);
- What conditions should be applied to development, such as design, parking or landscaping;
- What are the implications of doing nothing?

Several solutions may be needed for dealing with the issues identified and the number of options that will be needed will be influenced by the intended scope of your Neighbourhood Development Plan. A single site may only require consideration of two or three options. If your plan is more comprehensive, a number of options grouped around topic areas, may be required.

It is important to remember when considering the options to ensure that they are realistic and achievable, i.e. :-

- Is there available funding - Who or how will the new development be paid for?;
- Is there someone willing to carry out your proposals – Who will build it?

Your options must be in conformity with local and national policies, therefore you should check that there is no conflict with policies in the: -

- Core Strategy (i.e. housing numbers and employment growth);
- National Planning Policy Framework (i.e. sustainable development).

The Planning Team will be able to assist you regarding conformity with national and local strategic policies, viability issues and other provisions to consider such as affordable housing and open space requirements. Having defined your options, you should consult your local community, to help inform the final choice.

### **Taking the Options Forward in Developing your Plan**

Following consultation on the options, the option which is consistent with existing local and national policy, has the most support, and performs the best against the sustainability objectives and criteria can be taken forward to provide the detailed policies within your Neighbourhood Development Plan.

### **Develop the Policies**

All policies within your Neighbourhood Development Plan must be credible, justifiable and achievable, for example site related policies must have been drawn up in negotiation with, and have the support of, the relevant landowners or site promoters.



Policies can be any length (although short, concise policies are often easier to interpret) and should be accompanied by a more detailed explanation in the 'supporting text'. This will help to justify each policy and to provide further detail on what it is that your Neighbourhood Development Plan is really trying to achieve. To see examples of how policies can be written, have a look at Local Plan policies and documents (such as Core Strategy, Development Management Policies and Site Specific Allocations Development Plan Documents), or other local authorities planning documents.

### Types of Policies

Some policies may be 'actions' for things that the community want to happen, such as the development of housing or community facilities. Other policies might be a set of 'criteria' that describe what development should look like, and the issues development will need to take into account if a proposal is to be granted planning permission. Any criteria within a policy will be used to decide whether a proposal is likely to be acceptable or not.

To see some examples of policies in Neighbourhood Development Plans see the Upper Eden NDP [www.eden.gov.uk](http://www.eden.gov.uk) or St James NDP [www.exeter.gov.uk](http://www.exeter.gov.uk).

Policies may take one of the following forms: -

**Policies that allocate specific sites** for particular types and scales of development (e.g. residential, employment, leisure, education, retail, offices etc)

**Policies to specify requirements of allocations** (e.g. landscaping, materials, provision of cycle paths, car parking requirements etc);

**Policies to protect specific sites, environmental or historic assets** (open space, community facilities, sports fields, buildings of local historic value, use of buildings and changes of use);

**Local design policies** to cover future development in the Neighbourhood Area (materials, scale and density of development etc).

The draft policies should be based upon the information gathered during previous stages of evidence gathering and community engagement. They should also be checked against the agreed vision and objectives of your plan. This will ensure they will help to achieve the aspirations of your plan and do not create any conflicts with any other policies. This is an opportunity to check that you have addressed the vision and all of the objectives in your plan.

### Site Proposals Maps

If you have site allocations and site-related policies within your Neighbourhood Development Plan then you will need to prepare a map(s) to show the proposed site locations and boundaries, this map is called a 'site proposals map'. The proposals map could also include those areas that are to receive protection from development, as identified within the policies of your Neighbourhood Development Plan, for example, open space.

If your Neighbourhood Development Plan only allocates a single site, then your proposals map may be able to show the site in more detail, for example: what parts of the site should be used for different uses.

In order to reproduce and make copies of your maps and any documents that contain maps you will require a licence from Ordnance Survey (public sector mapping agreement). Go to their website at [www.ordnancesurvey.co.uk/oswebsite/public-sector/town-and-parish-councils](http://www.ordnancesurvey.co.uk/oswebsite/public-sector/town-and-parish-councils) for more details.

### Evidence Base and Information Requirements

Whatever you do you will need to demonstrate that your policies are based on sound evidence. This evidence should be used to inform your plan and underpin its objectives. Any plan not supported by evidence could be found unsound at the examination stage. When the inspector examines your Neighbourhood Development Plan, a series of tests will be applied including whether or not the content of your plan is justified by an up to date evidence base and background information. The type of evidence is not prescribed, but it must contain two elements: -

- Evidence that the views of the local community and others who have a stake in the future of the area have been taken into account;
- Evidence that the choices made by the plan are backed up by fact.

The planning team will be able to provide some of the background information for your plan. Studies that informed the preparation of the Core Strategy and other development plan documents are available from the council's website and may be useful in shaping your proposals.

It may be that you will also need to gather your own evidence to address the key issues raised by the local community and others who have a stake in the future of your parish or forum area.

Evidence gathering can be time consuming, costly and cause delays in getting a plan finished, so you ought to ask the following questions:



- Do you really need it to inform your choices?
- What would happen if you didn't have it?
- Is it relevant to your area and objectives?
- If so, what is the best way of getting it?

It is important to document your evidence as it evolves. The Inspector will check to see that the evidence is up-to-date, relevant and complete in terms of coverage of the Neighbourhood Area.

You can commission consultants to carry out any studies however these are expensive so make sure that you: -

- Write a clear brief with clear objectives
- Make sure you meet the main individual(s) who will be working on the project
- Identify who will be responsible for managing the contract with the consultant
- If you want a steering group be clear about its role
- Challenge the work if it isn't good enough or the brief isn't kept to.


When a draft of your plan has been completed it will be ready for the formal stages of the process leading up to adoption by the Council.

**Next Step** See part 4 'The Formal Process: Submission, Examination, Referendum and Adoption'



[www.suffolkcoastal.gov.uk/communityledplanning](http://www.suffolkcoastal.gov.uk/communityledplanning) 


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