



Broxtowe  
Borough  
COUNCIL

Positive People - Positive Leadership - Positive Partnerships

# Neighbourhood Planning

July 2012

## **What is a Neighbourhood Plan?**

Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. Under the terms of the new Localism Act, communities can now choose to produce a neighbourhood plan, which will contain policies to help shape and deliver new development in their areas. Because this document will become a statutory (legal) document they have to produce it in a certain way and this guide provides an introduction to the process.

A Neighbourhood Plan set out a vision for an area and should contain planning policies for the use and development of land. These policies should cover local issues for example, where new affordable and market homes, shops or offices should go, including the on site mix, and what green spaces should be protected. Neighbourhood plans are designed to allow local people much greater control of how their own communities develop.

## **Who should be involved in its preparation?**

Any community group can apply to be involved in creating a neighbourhood plan, subject to certain rules. In areas with a town or parish council they will normally take the lead, and any community group must have at least 21 members, be representative of the community as a whole and be open to new members. Local businesses may be involved in these plans, and the borough council will provide advice and support. This support may involve:

- sharing evidence and information on planning issues
- helping with consultation events
- providing advice on assessments including strategic environmental assessment and evidence
- providing advice on national and local plan policies with which the Neighbourhood Plan or Neighbourhood Development Order will need to fit
- helping communities communicate with external partners where this is required

## **What can it contain?**

With a Neighbourhood Plan, communities will be able to establish general planning policies for the development and use of land in a neighbourhood. They will be able to say, for example, where new homes and offices should be built, and what they should look like. The neighbourhood plan will set a vision for the future. It can be detailed, or general, depending on what local people want

Neighbourhood Plans can contain Neighbourhood Development Orders. These can be used to grant planning permission for specific types of development in a neighbourhood area. For example, a Plan could give permission to residents in the area to build household extensions of a certain size without needing to apply for planning permission.

Neighbourhood Plans can also contain Community Right to Build Orders, which allow neighbourhood groups to bring forward certain developments, such as small scale housing, a shop or community facilities, without the need to apply for planning permission.

### **Who will pay for the Plan?**

Not much is known about what funding will be available for Neighbourhood Plans. The Council will assist with certain aspects of the Plan's production and examination. It will also help any community wanting to produce a plan to apply for funding. Funding may be available from central Government, who have made £50 million available to help groups wanting to prepare Neighbourhood Plans.

### **How to Prepare a Neighbourhood Plan**

If you wish to produce a Neighbourhood Plan the following is advised:-

#### **Stage 1: Agreeing the Neighbourhood Area and Group carrying out the Neighbourhood Plan**

Before beginning to draw up a neighbourhood plan it is essential to identify the area that a neighbourhood plan is designed to cover. Once this is done the group or council should contact the borough council immediately. One of the roles of the borough council is to ensure that no area has more than one neighbourhood plan for it, and if more than one group is interested the borough council may ask you to work together to prepare the plan.

The first step in preparing a neighbourhood plan is to think about the sort of development that you want to see in your neighbourhood. It will be crucial to have the input of your community and to talk to your neighbours when you are developing your ideas to make sure it is what people want. You might also want to talk to other community groups.

In due course Parish Councils, or local groups in unparished areas, should submit their applications for the designation of a neighbourhood area to the Council. These should include:

- a plan and statement identifying the land to which the neighbourhood plan will relate;
- a statement explaining why this area is considered appropriate to be designated as a neighbourhood area;
- a statement explaining why the group is capable of being the 'qualifying body' to carry out the Neighbourhood Plan; and
- contact details for the group.

It is strongly recommended that groups liaise with the borough council before making the formal application to prepare a neighbourhood plan so that the council can provide any necessary support.

The Council will, with the assistance of the proposing body, publicise the statement and invite members of the public to comment on the proposal. This consultation process will take place for six weeks.

### **Parish or Town Councils and Neighbourhood Forums**

Parish or Town Councils will usually take the lead in progressing Neighbourhood Plans in their area. Community groups can, however, also apply to the Borough Council to become a Neighbourhood Forum. The Forum must contain a cross section of the population and comprise a minimum of 21 people. The application to the Council must contain:

- the name of the neighbourhood forum
- a plan and statement identifying the land to which the neighbourhood plan relates
- contact details of at least one member of the group
- a copy of the written constitution of the proposed neighbourhood forum
- a statement explaining why the group is capable of being the 'qualifying body' to carry out the Neighbourhood Plan
- notice of accepted application

Once an application is received, from either a Parish Council or community group, Broxtowe Borough Council will publish on its website a statement setting out:

- the name and coverage of the proposed neighbourhood forum
- the contact details of at least one member of the organisation or body making the application
- the date on which the application was received
- a statement that any other application for the relevant neighbourhood area, after the first application to be accepted, must be received by Broxtowe Borough Council no later than 28 days after the date on which the above information was first published on their website in relation to the first application accepted

### **Stage 2 Preparing and writing the Neighbourhood Plan**

When writing the Neighbourhood Plan the following should be taken into consideration:

- the plan can influence the type, design, location and mix of new developments
- the Plan must be in general conformity with the Broxtowe Borough Local Plan (the Core Strategy) and the National Planning Policy Framework

- it must conform with other laws
- the Council's Evidence Base, and evidence gathered by the Neighbourhood Planning group, should be used to support a Plan
- strong links must have been made with local residents, community groups and local business
- thorough consultation is essential
- the Plan must reflect the views and concerns of local people
- involving the Borough Council at the start of the process is essential

### **Publicising your Plan:**

- the draft version of the Plan must be publicised to people who live, work or carry out business in the area
- the Plan must be publicised for a minimum period of six weeks to allow for responses
- statutory bodies must be consulted

The borough council will help with all the stages of publicity and a draft must be submitted to the Council.

Supporting Information to be submitted with the Plan

- title of the proposed plan
- plan or statement showing the area covered
- consultation statement detailing:
  - who was consulted
  - how they were consulted
  - main issues raised and describing how they were addressed

### **Stage 3 Independent Check**

Once a plan has been prepared, an independent examiner will check the plan and make sure it meets the right standards. The examiner will be appointed and paid for by the Borough Council with the consent of the Parish Council or Forum. The examiner must be independent of both the Parish/Forum and the Borough Council and have no interest in the land in the area.

*After the check*

The examiner will recommend one of the following:

- That the plan goes to a referendum
- That the plan be modified before a referendum
- That the plan be refused
- The Borough Council will need to look at the examiner's views and decide whether to make the changes proposed. The examiner's report is not binding on the parties

- There may be a need to go back to the community and re-consult on the plan if significant changes are recommended by the examiner and the Borough Council agrees them.

#### **Stage 4 Community Referendum**

The Borough Council will organise and pay for a referendum on any Plan that meets the right standards. The referendum gives the wider community a chance to say whether the Plan should come into force or not. If more than 50% of the community vote in favour of the plan then it is adopted by the Borough Council. Please note that 'more than 50% of the community' means of those members of the community voting on the day.

Once a neighbourhood plan is in force it carries real legal weight. Decision-makers will be obliged by law to take what it says into account when they consider proposals for development in the neighbourhood area.

For further details on developing a Neighbourhood Plan, please contact the Planning Policy team on 0115 917 3468, at [planningpolicy@broxtowe.gov.uk](mailto:planningpolicy@broxtowe.gov.uk) or write to Broxtowe Borough Council, Planning and Building Control Chief Executive's Department, Council Offices, Foster Avenue, Beeston, Nottingham NG9 1AB.