



STATEMENT SETTING OUT GENERAL INFORMATION ON TOWN AND COUNTRY PLANNING AND THE REFERENDUM

Introduction

This statement has been produced to support Broxtowe Borough Council's role in organising Neighbourhood Plan referendums. It provides general information about the planning system, the role of Neighbourhood Plans, and summarises how they are produced.

The Planning System

- The planning system manages the use and development of land and buildings, with the aim of creating sustainable places to live and work. Without a planning system in place, development would not be controlled and could take place anywhere, resulting in considerable impact on the environment. Potential development is managed through planning applications, using local plans as a basis to make decisions.
- The planning system has two parts which are usually the responsibility of the local planning authority (in this case, Broxtowe Borough Council):
 - Plan making - setting out proposals for development and policies to guide development
 - Development management – where planning decisions are made through the assessment of planning applications
- Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by permitted development. In the case of development that requires planning permission, Broxtowe Borough Council is responsible for deciding whether this development should go ahead.

National Planning Policy

- The [National Planning Policy Framework \(2019\)](#) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF gives guidance to local planning authorities in drawing up development plans and on making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles. [Planning Practice Guidance \(PPG\)](#) supports the NPPF and provides further guidance on planning issues, including Neighbourhood Planning.

Local Plans

- Local plans are prepared by local planning authorities and set out the strategic priorities and planning policies for the local authority area. The policies in a local plan set out to deliver key development including homes and jobs required, the provision of retail and community facilities and infrastructure. Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included. Local plans must be positively prepared, justified, effective, and consistent with national policy.

Broxtowe Borough Local Plan

The Broxtowe Borough Local Plan is comprised of two parts:

- [Part 1 – The Aligned Core Strategy \(adopted in September 2014\)](#). This sets the strategic vision, aims and objectives for the Borough as a whole until 2028. It also allocates some very large strategic sites for development, across Greater Nottingham. This part of the Local Plan covers the wider Greater Nottingham area (including other Boroughs and the City).
- [Part 2 – The Part 2 Local Plan \(adopted in October 2019\)](#). Part 2 of the Local Plan delivers the strategic aims and objectives as set out in the Core Strategy. This sets out the local planning policies to be used for development management purposes (i.e. to determine planning applications) and allocates the majority of sites for housing, employment and other purposes. This part of the Local Plan is specific to Broxtowe Borough.

There is a requirement for the Council to review each part of the Local Plan every five years.

Neighbourhood Planning

- Neighbourhood planning was introduced under the 2011 Localism Act. It provides the opportunity for local communities to shape future development in their local area, through the development of a neighbourhood plan, which will be used alongside local and national planning policies when determining planning applications.
- The development of a neighbourhood plan is led by a 'qualifying body', whether a town or parish council, or a Neighbourhood Forum.
- Neighbourhood plans have to meet a number of 'Basic Conditions', as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, in order to proceed to referendum stage. An independent examiner must consider whether a neighbourhood plan meets the "Basic Conditions". A Neighbourhood Plan meets the Basic Conditions if:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
 - the making of the Neighbourhood Plan is in 'general conformity' with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and,
 - the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017
- There is a statutory process that must be followed in order to produce and adopt a Neighbourhood Plan. The Neighbourhood Area (the area to which the Plan relates) must be designated by the Borough Council, following an application from the qualifying body. There can only be one Neighbourhood Plan for each Neighbourhood Area. The Neighbourhood Plan must also specify the period for which it is to have effect.
- The draft Neighbourhood Plan must be prepared through a process of consultation with local residents and businesses, and must be subject to a formal consultation period, providing an opportunity for all interested parties to make comments. All comments received must then be assessed and, where relevant, reflected in refinements to the Plan.
- Once a Neighbourhood Plan has been finalised, a further public consultation is undertaken to inform the Examination process. Once appointed, an Independent Examiner will check that the plan meets the Basic Conditions

listed above. The Independent Examiner will also consider any comments submitted. This is to ensure that referendums only take place when proposals are deliverable and meet the 'Basic Conditions'. The Independent Examination concludes with the publication of an Independent Examiner's Report, identifying whether any modifications should be made to the plan, and whether it should then proceed to a referendum.

- The Borough Council will then decide, following liaison with the Parish Council, and having regard to the statutory criteria, whether to accept the recommendations and whether the Neighbourhood Plan should proceed to referendum. This referendum will be organised by the Local Planning Authority (Broxtowe Borough Council).
- People who are registered electors in the Neighbourhood Area will be entitled to vote in the referendum. This will be conducted following similar procedures to those used at local government elections. For further information on the conduct of the referendum, including deadlines for registration, postal and proxy votes can be found in the 'Information Statement'.
- If at least 50% plus 1 of voters in the referendum support the plan, the Local Planning Authority must bring it into force. The Local Planning Authority must make the Neighbourhood Plan as soon as reasonably practicable after the successful outcome of a referendum. Once made, a Neighbourhood Plan will be part of the statutory development plan and be used in determining planning applications within the neighbourhood area.

Questions and Answers

What is a Neighbourhood Plan?

- A planning document which contains priorities for an area, mainly in relation to housing, other buildings, the environment and the way in which land is used

Who has prepared the Neighbourhood Plan?

- The Awsworth Neighbourhood Plan has been prepared by the Awsworth Parish Council (Qualifying body)

Where does the Neighbourhood Plan cover?

- The Neighbourhood Plan covers the Parish of Awsworth, and as such, only the residents of Awsworth Parish are entitled to vote in this referendum

What will the Neighbourhood Plan be used for?

- Broxtowe Borough Council will use the Neighbourhood Plan to help determine the outcome of planning applications in Awsworth Parish

What are we voting for?

- The referendum requires a simple 'yes' or 'no' vote as to whether you would like Broxtowe Borough Council to adopt and use the Awsworth Neighbourhood Plan when determining planning applications for Awsworth Parish

What happens next?

- If there is a majority vote of 'yes' (at least 50% plus 1), then Broxtowe Borough Council will adopt the Awsworth Neighbourhood Plan and will use it to consider the outcome of planning applications and development in the area
- If there is a majority vote of no, then the Awsworth Neighbourhood Plan will not be adopted.

Further information (including the Plan itself) is available on Broxtowe Borough Council's website:

<https://www.broxtowe.gov.uk/awsworthneighbourhoodplan>