



**Broxtowe
Borough
COUNCIL**

**THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE NEIGHBOURHOOD PLANNING (REFERENDUMS) REGULATIONS 2012
(AS AMENDED)
THE PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)
THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (AS
AMENDED)**

**CHETWYND: THE TOLON AND CHILWELL NEIGHBOURHOOD
DEVELOPMENT PLAN
(2020 – 2040)**

**A STATEMENT SETTING OUT GENERAL
INFORMATION AS TO TOWN AND COUNTRY
PLANNING AND THE REFERENDUM**

BROXTOWE BOROUGH COUNCIL

MARCH 2024

1.0 Introduction

- 1.1 This Statement has been prepared in order to meet the requirements of the Neighbourhood Planning (Referendums) Regulations 2012 (as amended), which require that certain 'specified documents' are made available for inspection in advance of Neighbourhood Development Plan referendums. One of these specified documents is:

'a statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum, which is prepared having regard to any guidance issued by the Secretary of State'

(Neighbourhood Planning (Referendums) Regulations 2012 (as amended): <https://www.legislation.gov.uk/ukxi/2012/2031>).

- 1.2 This Statement, along with the Independent Examiner's report, and other specified documents as set out within Broxtowe Borough Council's Information Statement, can be viewed on the Broxtowe Borough Council website at the following link: <https://www.broxtowe.gov.uk/for-you/planning/planning-policy/neighbourhood-planning/chetwynd-the-toton-and-chilwell-neighbourhood-plan/> and at other locations as set out within the Borough Council's Information Statement.
- 1.3 This statement provides general information about the planning system, the role of Neighbourhood Plans, and summarises how they are produced.

2.0 The Planning System

- 2.1 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 and amenity of residents. Potential development is managed through planning applications, using local plans as a basis to make decisions.
- 2.2 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
- 2.3 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.

3.0 National Planning Policy

3.1 The National Planning Policy Framework (NPPF) 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.

4.0 Local Plans

4.1 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 the 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 may also be included. Local Plans must be positively prepared, justified, effective, and consistent with national policy.

5.0 Broxtowe Borough Local Plan

5.1 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.

5.2 Broxtowe Borough Council is currently in the process of reviewing the Part 1 of the Local Plan (the Aligned Core Strategy). The replacement document will be the Greater Nottingham Strategic Plan. Further information is available at the following link: <https://www.gnplan.org.uk/latest-news/>.

6.0 Neighbourhood Planning

- 6.1 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.
- 6.2 The development of a neighbourhood plan is led by a 'qualifying body', whether a Town or Parish Council, or a Neighbourhood Forum.
- 6.3 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 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 6.4 In order to proceed to the referendum stage, an independent examiner must consider whether a Neighbourhood Plan meets the "Basic Conditions". The basic conditions are:
- [a.] having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to 'make' (adopt) the neighbourhood plan.
 - [d.] the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - [e.] 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).
 - [f.] the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 - [g.] prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 6.5 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 and other requirements set out in legislation.

- 6.6 The Borough Council will then decide, following liaison with the Parish Council, and having regard to the statutory criteria, whether it agrees with the recommendations, whether the Plan meets the Basic Conditions and whether the Neighbourhood Plan should proceed to referendum.
- 6.7 The referendum will be organised by the Local Planning Authority (Broxtowe Borough Council).
- 6.8 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. Further information on the conduct of the referendum, including deadlines for registration, postal and proxy votes can be found in the 'Information Statement'.
- 6.9 If at least 50% plus 1 of voters in the referendum support the plan, the Local Planning Authority must bring it into force. In most cases, the Local Planning Authority must make (adopt) the Neighbourhood Plan following a successful referendum result.
- 6.10 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

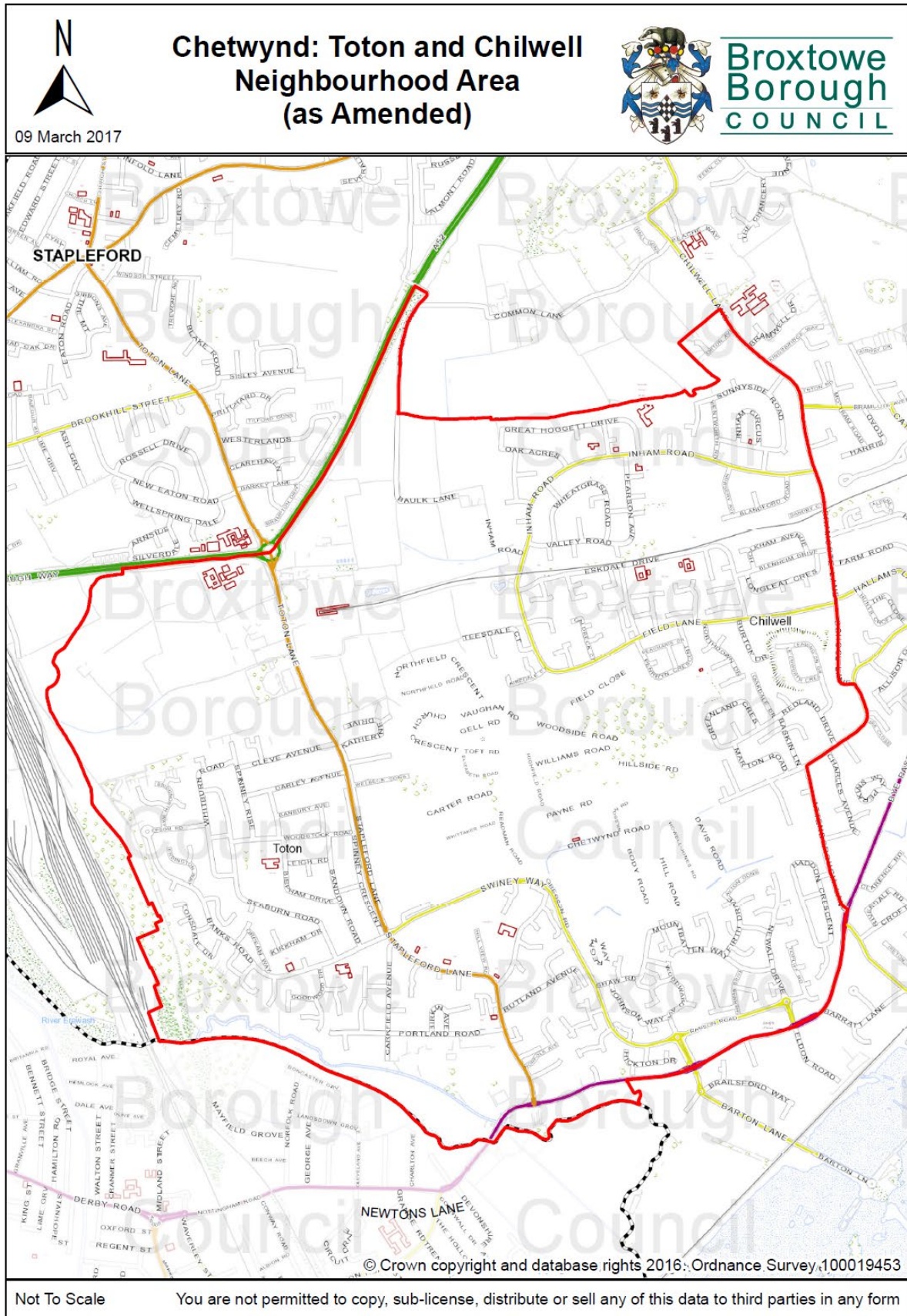
Who has prepared the Neighbourhood Plan?

The Chetwynd: The Toton and Chilwell Neighbourhood Plan has been prepared by the Chetwynd: The Toton and Chilwell Neighbourhood Forum (the 'Qualifying body').

Where does the Neighbourhood Plan cover?

The Neighbourhood Plan covers the Chetwynd: The Toton and Chilwell Neighbourhood Plan Area, and as such, only the residents within this area are entitled to vote in this referendum.

The Chetwynd: The Toton and Chilwell Neighbourhood Plan Area



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 the Chetwynd: The Toton and Chilwell Neighbourhood Plan Area.

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 Chetwynd: The Toton and Chilwell Neighbourhood Plan when determining planning applications within the Chetwynd: The Toton and Chilwell Neighbourhood Plan Area.

What happens next?

If there is a majority vote of 'yes' (at least 50% plus 1), then Broxtowe Borough Council will adopt the Chetwynd: The Toton and Chilwell Neighbourhood Plan and will use it to help determine planning applications in the area.

If there is a majority vote of no, then the Chetwynd: The Toton and Chilwell Neighbourhood Plan will not be adopted.

7.0 Further Information

- 7.1 This Statement is available to view on Broxtowe Borough Council's website at the following link: <https://www.broxtowe.gov.uk/for-you/planning/planning-policy/neighbourhood-planning/chetwynd-the-toton-and-chilwell-neighbourhood-plan/>.
- 7.2 If you have any questions or would like any further information in relation to the Chetwynd: The Toton and Chilwell Neighbourhood Plan or this Statement, please feel free to contact the Borough Council's Planning Policy Team on 0115 917 3015 or via email at: policy@broxtowe.gov.uk.

Broxtowe Borough Council
March 2024