



**Rearsby
Neighbourhood Plan**

**Information for
Voters**

Introduction

On 28th October 2021 there will be a Referendum on a Neighbourhood Plan for the Rearsby Neighbourhood Plan.

This document provides information on neighbourhood plans and their role in the town and country planning system. It also explains the Referendum that will be held and how you can take part in it.

Neighbourhood Plans

What is a Neighbourhood Plan?

A local community can prepare a neighbourhood plan to help shape future development in its area.

If the plan has been prepared through consultation and in accordance with legislation it can proceed to a referendum. If the neighbourhood plan is supported by a majority of votes in the referendum it can become part of the official “development plan” for the area alongside Charnwood Borough Council’s Local Plan.

The neighbourhood plan must then be taken into account when the Borough Council or a planning inspector is deciding planning applications in the area.

Who can prepare a Neighbourhood Plan?

A neighbourhood plan can be prepared by the relevant parish/town council where there is one or by an appropriate community Forum in non-parished areas.

What can be in a Neighbourhood Plan?

Neighbourhood plans are generally about ‘development’ (broadly speaking building construction and changes in the use of land) although they often include community actions and projects. A neighbourhood plan can shape the future development in an area, but it cannot stop all development or plan for less than that included in the Borough’s Local Plan.

A neighbourhood plan must:

- Support sustainable development;
- Generally conform to the strategic policies in the local plan;
- Have regard to national planning policies;
- Comply with relevant legislation; and
- Specify the period it will cover.

While a neighbourhood plan must generally conform to the local plan’s strategic policies for the area (e.g. the overall role of the area, the general scale and type of development planned), it can vary in detail from the local plan. It can include allocations of land for

development, development boundaries, design and other criteria to be applied in the area.

Neighbourhood plans often contain policies to reinforce the local character of the area, to protect local green spaces and other features of particular local importance, plus measures to address particular local issues.

There is no set format for a neighbourhood plan. It could be very brief and focused (perhaps just one policy) or very long and complex. Much will depend on what are agreed as the local priorities, and what resources, interests and skills are available in the local community who prepare it.

How is a Neighbourhood Plan prepared?

Neighbourhood plans will affect what may, or may not, receive planning permission so they must go through stages of formal consultation to provide opportunities to comment and to meet the tests laid down in legislation. The process for preparing a neighbourhood plan includes examination by an independent expert to decide whether the plan meets the legal tests mentioned above, and, a referendum to test the local support for the plan.

Charnwood Borough Council (as local planning authority) has to administer key parts of this process. The decisions it has to make in this process are not whether the Borough Council agrees with or supports the content of the neighbourhood plan, but whether the plan complies with nationally laid down rules and policies.

It is the local community's plan, and it is they who will have to do most of the work (or commission consultants to do this for them) and make the decisions on what they want in their plan, although the Borough Council will provide advice and assistance.

For more information on Neighbourhood Plans in Charnwood, please see https://www.charnwood.gov.uk/pages/neighbourhood_plans.

Town and Country Planning

Background

The town and country planning system exists to protect and promote public interest in the way land is used and developed.

The current British planning system was established in 1947, and grew from concerns that uncoordinated development in the 19th and early 20th centuries had resulted in severe adverse impacts on health, economic efficiency, quality of life and the environment. The system ensures that owners of property in Britain do not have a right to build or change the use of land as they please, but rather must obtain planning permission to do so.

The planning system endeavours to:

- Co-ordinate the activities of different developers and agencies;
- Protect features and qualities of acknowledged public interest;
- Provide a degree of certainty for investors, landowners, residents and other stakeholders; and
- Co-ordinate the provision of infrastructure and other facilities.

More broadly the system aims to balance the needs and aspirations of the immediate site or locality with those for the wider area and longer term interests.

Inevitably these different aims and considerations are often in tension, and so there are difficult and controversial decisions to be made in balancing them when considering whether to grant planning permission or include something in a plan. If only one consideration were to be taken into account it might seem easy to arrive at a planning decision but that could mean a failure to correctly understand issues and considerations and balance them in arriving at a reasonable and rational judgement.

Local Planning Decisions

The responsibility for making most of these difficult decisions is given by Parliament to the local planning authority, which in this area is Charnwood Borough Council.

However, local planning authorities cannot make a decision any way they may please. Prior public consultation is required in most cases. Decisions on applications must be made in accordance with the adopted development plan, unless there are proper planning considerations suggesting otherwise.

One of the important considerations which must be taken into account is national (government) planning policy, including the National Planning Policy Framework and associated planning practice guidance. This tells local planning authorities which issues they should consider, how decisions should be reached, how plans should be prepared and what they should contain.

Decisions are made by elected councillors, advised by specialist planning officers. Some routine decisions (e.g. planning applications clearly in accordance with, or contrary to, adopted plans) will usually be delegated by councillors to senior officers to avoid unnecessary delays and costs.

A local planning authority's decision to refuse planning permission can be challenged and reviewed by an independent planning inspector appointed by the Secretary of State. If there are concerns that a decision has not been made in accordance with the law it may be challenged through the courts.

Local Plans

A core principal of the planning system is that it should be genuinely plan-led. The local planning authority has to produce a local plan for the future development of the area. Local plans commonly include policies setting out the overall scale and broad location of development, and more detailed policies identifying the specific sites and the type

and amount of development sought on each area together with other policies that manage impacts on the environment and other characteristics of an area.

In Charnwood, the plan currently comprises the Charnwood Local Plan 2011 to 2028 Core Strategy (2015) and saved policies from the Borough of Charnwood Local Plan (2004) which have not been superseded by the Core Strategy and which comply with the National Planning Policy Framework, (NPPF).

Local plans must provide for enough housing and employment development to meet the anticipated growth in an area, usually for at least the next fifteen years, and have to be in general accordance with national planning policy. Ideas for how this might be done are refined and reconsidered through successive rounds of consultation and discussion; often over a period of several years. Unfortunately, a consensus is rarely reached so the local planning authority must make difficult choices between competing views and proposals. Once the local planning authority has decided the plan it wishes to adopt it is tested against legal requirements and national policy by an independent planning inspector (appointed by the Secretary of State) who will consider the views of those who oppose or support the plan, and decide whether it can be adopted and brought into force.

National policy requires local plans to be kept up-to-date and for authorities to take action when the number of houses being built falls below the number needed. Where there is an out of date plan or insufficient homes coming forward the national policy presumption in favour of sustainable development applies. Local planning authorities are then less able to refuse planning applications for housing development unless it seriously contravenes national policy rather than the decision resting on what the local or neighbourhood plan says.

Neighbourhood Planning

Parish and town councils are statutory consultees for planning applications and local plans. This means they are consulted about these and are able to put forward any views they may have to help the local planning authority take decisions.

The 2011 Localism Act gave parish and town councils (and communities in unparished areas that had successfully applied for designation as a neighbourhood forum) new powers to produce neighbourhood development plans, or to grant planning permission for specified developments or types of development (neighbourhood development orders and community right to build orders). Of these, neighbourhood plans have been by far the most popular. (For further information on neighbourhood plans, see section above.)

The Rearsby Neighbourhood Plan

This document explains the planning system to anybody who wishes to vote in the referendum for the Rearsby Neighbourhood Plan. That plan has been through the process described above, including community consultation in January/February 2019 (Regulation 14) and in March/April 2021 (Regulation 16).

An independent Examiner has examined the plan and considers that, the Neighbourhood Plan meets the basic conditions and the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, subject to his proposed modifications. On that basis he recommends that the plan should proceed to a Referendum.

Rearsby Parish Council has amended the plan in accordance with the Examiner's recommended modifications and Charnwood Borough Council has confirmed that the basic conditions for making a plan have been met and that a Referendum should now be held.

Referendum on the Neighbourhood Plan

The Referendum will be held on the 28th October 2021. It will be administered by Charnwood Borough Council. The Referendum will ask you to vote Yes or No to the following question through a ballot paper:

Do you want Charnwood Borough Council to use the neighbourhood plan for Rearsby to help it decide planning applications in the neighbourhood area?

What does the vote mean?

If more people vote "Yes" than "No" in this Referendum, then the Rearsby Neighbourhood Plan will be able to become part of the development plan for Charnwood. Charnwood Borough Council will then use the Neighbourhood Plan to help it decide planning applications in the Rearsby Parish.

If more people vote "No" than "Yes" then the Neighbourhood Plan will not be able to be part of the development plan for Charnwood. As a result planning applications will be decided without using the Neighbourhood Plan as part of the development plan for the local area.

The Referendum area

The Referendum area is identified as the parish area of Rearsby and is identical to the area which has been designated as the Rearsby Neighbourhood Plan Area.

Referendum Expenses

The Referendum expenses limit that will apply in relation to the Referendum is £2,362 plus 5.9p for each person entitled to vote in the Referendum, which for this referendum totals 910 electors.

Specified Documents

A number of specified documents must be made available for the purpose of the Referendum. The specified documents for are:

- Rearsby Neighbourhood Plan 2021-2036 Referendum Version
- Report of the independent Examiner
- Summary of the representations submitted to the independent Examiner
- Statement by the Local Planning Authority that the draft Plan meets the basic conditions.
- A statement that sets out general information as to town and country planning including neighbourhood planning and the Referendum.

The specified documents can be viewed on the Council's dedicated website at:

https://www.charnwood.gov.uk/pages/rearsby_neighbourhood_plan

Paper copies of the specified documents may be inspected at the main reception of Charnwood Borough Council's Offices, Southfield Road, Loughborough, LE11 2TX. Due to social distancing requirements, an appointment should be booked to view documents at the main Council reception – call 01509 634560 or email customer.services@charnwood.gov.uk

Paper documents are also available for inspection within the referendum area at Beardley's Tea Room, 2 Brook Street, Rearsby, LE7 4YA during normal opening hours.

Can I Vote?

You can vote in the Referendum if you live in Rearsby Parish and:

- You are registered to vote in Local Government Elections; and
- You are 18 years of age or over on 28th October 2021.

If you are not yet registered to vote but live in the parishes and will be 18 years of age or over on the 28th October 2021 you can register to vote here <https://www.gov.uk/register-to-vote>

You have to be registered to vote by 12th October 2021 to vote in the Referendum.

The Referendum will be conducted in accordance with the procedures which are similar to those used at Local Government Elections.

Ways of Voting

There are three ways of voting:

- In person on 28th October 2021; or
- By post; or
- By Proxy

For further details on where and how to vote, please visit the Borough Council's website:

http://www.charnwood.gov.uk/pages/electoral_services

If you are not registered to vote you will not be able to vote in the Referendum.