

Charnwood Borough Council Factsheet 1 – A Guide to Neighbourhood Planning

What is a Neighbourhood Plan?

The Localism Act (2011) provides the legal basis for neighbourhood planning and establishes neighbourhood plans as part of the statutory development plan alongside the Council's local plan. The National Planning Policy Framework sets out the Government's policy for the role of Neighbourhood Plans.

There are two main options to consider in neighbourhood planning –

A Neighbourhood Plan is a new way of helping local communities to influence the planning of the area in which they live and work. It can be used to:

- Develop a shared vision for your neighbourhood.
- Choose where new homes, shops, offices and other development should be built.
- Identify and protect local green spaces.
- Influence what new buildings should look like.

A Neighbourhood Development Order can help to implement a shared vision by granting planning permission to certain types of development in certain locations, without the need to submit a planning application to the local planning authority. A Neighbourhood Development Order can apply to all of the Neighbourhood Plan area, or a particular site within the neighbourhood.

Who can produce one?

There are two types of groups that can undertake neighbourhood planning:

Parish and town councils: In areas where a parish or town council exists these are the only bodies that can prepare a Neighbourhood Plan. A Neighbourhood Plan produced by a parish or town council does not have to cover the whole area of the parish or town. A Neighbourhood Plan can cover just part of your parish or town if you prefer. Although, even if the Neighbourhood plan only cover some of the administrative boundary it must still be prepared by a town or parish council if one is in place). Alternatively, a Neighbourhood Plan can extend across several parishes.

Neighbourhood forums: Where a parish or town council does not exist, community members (those who live, work or have an interest in the area) can combine to create a Neighbourhood Forum. Only one Neighbourhood Forum is allowed to exist for each neighbourhood to be covered by a Neighbourhood Plan. There are certain rules that will determine whether a community group is eligible

for recognition as a Neighbourhood Forum. For example, they must have at least 21 members, be open to new members and have an adopted constitution. Neighbourhood Forums must apply to their local planning authority for formal approval of any Neighbourhood Forums.

Benefits of a Neighbourhood Plan

A neighbourhood Plan offers an advantage over simply relying on the Local Plan or more informal plans, like community plans or parish plans:

- They are community-led;
- They have a statutory status – a neighbourhood plan would be part of the statutory development plan which means that any decisions made on planning applications would need to have regard to the Neighbourhood Plan;
- A Neighbourhood Plan provides the opportunity to focus on more detailed issues in neighbourhood areas than a Local Plan, for example urban design, affordable housing;
- They allow the potential to influence other Council departments for example street lighting, public spaces and highways; and
- They give an opportunity to allocate sites for specific developments.

Alternatives to a Neighbourhood Plan

Producing a Neighbourhood Plan can be resource intensive and costly. It is therefore important to consider whether a Neighbourhood Plan is the right tool for delivering community objectives. Alternatives to a Neighbourhood Plan could include:

- Influencing the development of the Local Plan;
- Influencing Supplementary Planning Documents;
- Influencing Area Action Plans;
- Commenting on planning applications;
- Influencing design and development briefs;
- Produce parish or community plans;
- Village Design Statements; or
- Conservation Area Character Appraisals & Management Plans

What can a Neighbourhood Plan do?

A Neighbourhood Plan can set out where and what type of development can happen in a neighbourhood. The Plan can promote more development than is proposed in the Local Plan and can include policies which take precedence over existing policies in the Local Plan for the neighbourhood (provided the Neighbourhood Plan policies do not conflict with the strategic policies in the Local

Plan). A Neighbourhood Plan or Neighbourhood Development Order cannot be used to prevent development identified by the Local Plan.

Neighbourhood Plans or Neighbourhood Development Orders must meet certain criteria including:

- They must have regard to national policy;
- They must contribute towards the achievement of sustainable development;
- They must be in general conformity with the strategic policies in the Local Plan;
- They must be compatible with human rights requirements and EU obligations; and
- Neighbourhood Development Orders must have regard to the protection and enhancement of listed buildings and conservation areas.

What is Charnwood Borough Council's role?

The first step for parish/town councils or prospective neighbourhood forums wishing to prepare a Neighbourhood Plan is to submit their proposed neighbourhood area to Charnwood Borough Council for designation. Prospective neighbourhood forums will also need to be designated by Charnwood Borough Council.

The Borough Council is also responsible for:

- Checking that the Neighbourhood Plan meets all the relevant rules;
- Checking that it conforms to the Local Plan;
- Arranging and funding the independent examination and a local referendum; and
- Adopting the Neighbourhood Plan.

Duty to Support

Once the neighbourhood area is approved, Charnwood Borough Council is required to provide support and advice to those bodies producing a Neighbourhood Plan in its area. This may include:

- Providing advice on general planning matters;
- Advising on strategic or local policies in the Local Plan that are relevant;
- Sharing information on key contacts and stakeholders;
- Making available data for the evidence base, for example housing needs data, flood risk assessments; and
- Ensuring the Neighbourhood Plan is in conformity with the Local Plan

Charnwood Borough Council cannot prepare the plan on behalf of the Parish/ Town Council or Neighbourhood Forum and there is no duty to provide financial support to help prepare the plan.

The amount of support from Charnwood Borough Council will depend on the availability of resources. Support for Neighbourhood Plans will be prioritised:

- Where they provide more growth above the Local Plan;
- Where the Local Plan identifies an opportunity; and
- Where development pressures are likely to be the greatest, for example in urban areas and the Service Centres.

Once a commitment is given to support 2 projects in any financial year, support for further projects will be deferred to the following year, apart from the statutory minimum obligations that the Borough Council has to meet.

Sources of Funding

Funding to support the preparation, adoption and delivery of Neighbourhood Plans is available via a number of sources:

The Department for Communities and Local Government: Up until March 2016, Local Authorities had been able to draw funding from the Department for Communities and Local Government (DCLG) which allowed grants of up to £30,000 for each Neighbourhood Plan.

The Council received a letter from DCLG on the 09/03/16 setting out changes to financial support for Neighbourhood Planning from 2016/2017. The changes now mean that there is a cap of five Neighbourhood Area designation grants that the Council can apply for in total. The Council has already applied for five Neighbourhood Area designation grants so will not be able to apply for any more funding for Neighbourhood Area designations (Stage 1).

The letter sets out that the stage 2 funding which consists of £5,000 for publicising the Neighbourhood Plan prior to examination has been removed. This means that the Council will not be able to apply for funding upfront to help with examination costs. The stage 3 funding of £20,000 which can be claimed on successful completion of an examination remains in place. The letter finally sets out that the number of 'claim windows' has been reduced from four to two falling in January and July. To view the letter, [please click here](#).

Grants from DCLG/ Locality: DCLG are continuing to provide support for communities who choose to prepare neighbourhood plans, in the form of grants of up to £9,000. In addition, groups in priority areas (including unparished areas, business areas, deprived areas, cluster of parishes and areas of high growth) are

eligible to apply for a further £6000 grant funding and technical support packages. Further information can be viewed at www.mycommunity.org.uk.

Further Sources of Information

Charnwood Borough Council Local Plan Website

<http://localplan.charnwood.gov.uk/content/index.php?id=1>

Leicestershire County Council Neighbourhood Planning Toolkit

<http://www.leics.gov.uk/index/environment/planning/neighbourhoodplanning.htm>

Locality - Neighbourhood Plan Roadmap Guide

www.locality.gov.uk

CPRE A Guide to Neighbourhood Planning

www.cpre.org.uk

link to DCLG NP Newsletters online