

# **Neighbourhood Planning in the Vale of White Horse**

**September 2016**



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## **What is neighbourhood planning?**

1. Neighbourhood planning is part of an approach to planning introduced by the Localism Act 2011. The system is designed to be more collaborative and gives communities more powers to shape the future of the places where they live and work.
2. Neighbourhood plans are designed to foster more positive support from local communities in favour of development and to help ensure the benefits of development are enjoyed more directly by the local community. Neighbourhood planning is part of a localism approach, whereby local authorities, communities and businesses work more closely together to plan for areas in a more 'bottom up' manner. There are three types of planning document introduced through the Localism Act. More detail is provided in the following sections.

### **Neighbourhood Plans**

3. A neighbourhood plan can set out planning policies for the development and use of land for a given neighbourhood area (usually a town or parish area). The plan might specify, for example, where new homes and offices should be built, and what they should look like. The plan could also set a vision for the future, and can be detailed or quite general depending on what local people might want.

### **Neighbourhood Development Orders**

4. A neighbourhood development order grants planning permission for certain types of development, which are defined by the order, within the neighbourhood plan area. The permission could be full or outline, could have conditions attached and could be site specific or grant more general development rights across the whole area.

### **Community Right to Build Orders**

5. The community right-to-build process is instigated by a 'community organisation' where the community decides to bring forward specific development proposals for the benefit of the community. This might include community facilities and affordable housing.

6. This document is designed to provide a simple introduction to neighbourhood planning for communities in the Vale of White Horse. Further information is available from the council's website, which includes other guides to neighbourhood planning and other supporting information. See also the 'Where can we get further information' section below:

<http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans>

## **What is community led planning and how is this different to neighbourhood planning?**

7. Community led planning, sometimes referred to as Parish Plans, is a long established approach to action planning for local communities. Although it is not part of the formal planning system, a comprehensive community led plan can address a wide range of issues affecting the community as a whole (which could vary from car sharing to tackling local crime as well as planning-related matters). Community led plans can be very effective in helping communities to identify actions they can take with others to improve their local communities, can inform policy makers and give a local perspective to influence others to take action. By contrast, neighbourhood plans are a formal part of the planning system and will mainly consist of planning policies relating to the use of land and to shape new development.
8. The district council provides advice, support and guidance for parishes undertaking a community led plan. Community First Oxfordshire provides support for community led plans on behalf of the Vale and will work alongside parishes and the district and county councils. If you are interested in developing a community led plan for your community, please contact Anne Richardson at [corporate.strategy@southandvale.gov.uk](mailto:corporate.strategy@southandvale.gov.uk) or contact Community First Oxfordshire via <http://www.communityfirstoxon.org/housing-community-planning/neighbourhood%20planning/>

## **What are the main stages of preparing a neighbourhood plan?**

### **Getting Started**

9. In the Vale of White Horse, it will be town and parish councils who lead the preparation of neighbourhood plans. However, it is very important the plan represents the whole community and so it will be necessary to involve the wider community from the outset. Before deciding whether to produce a plan it is important to ascertain whether the community support the idea as it is intended to be for their benefit.

10. It is recommended that a steering group is formed to be led by the town or parish council and include representatives from a wide range of community organisations. These could include local businesses, chamber of commerce, schools, health centres, local residents and other community groups. The steering group will lead each stage of preparing the neighbourhood plan. An example terms of reference for the steering group is available from the council's website:

<http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/neighbourhood-planning-2>

## **Once the steering group is established: what next?**

11. There are a number of formal stages to preparing a neighbourhood plan and these are briefly summarised by the diagram on page 7. More detailed guides to the stages of neighbourhood planning are available, see the 'where can we get further information' section below.

12. However, there are a number of different types of planning document and a different approach may be more or less appropriate for different communities. We want to help communities plan effectively and cost effectively for their areas and we advise against making assumptions at the outset about what sort of plan to prepare.

13. Some work at the beginning of preparing a plan is needed to establish what the community hopes to achieve. This will help to inform what type of plan is needed, such as a neighbourhood plan or a community led plan. This initial work is called 'scoping':

### **Stage 1: Scoping**

14. The aim of this stage is to identify the key issues and opportunities that the community want to address and start to consider how they might be tackled. This could be summarised by the following three questions:

1. Where are we now?
2. Where do we want to be?
3. How do we get there?

15. To answer these questions you might need to:

- gather information about your area
- assess your area's strengths and weaknesses
- draft a vision statement for your community

- identify a series of objectives.
16. The scoping work will help to identify the best way to address the issues or opportunities facing the community. This may warrant the preparation of a neighbourhood plan. However, other types of plan, including a community led plan, could also help you to achieve your objectives. It is important to remember that not all issues relate to the planning system and in some communities more than one approach may be appropriate.
  17. The district council will be able to help communities to understand the different options that may be available to them in more detail to help you to choose the best and most cost effective route for you.

## **Stage 2: Delivery**

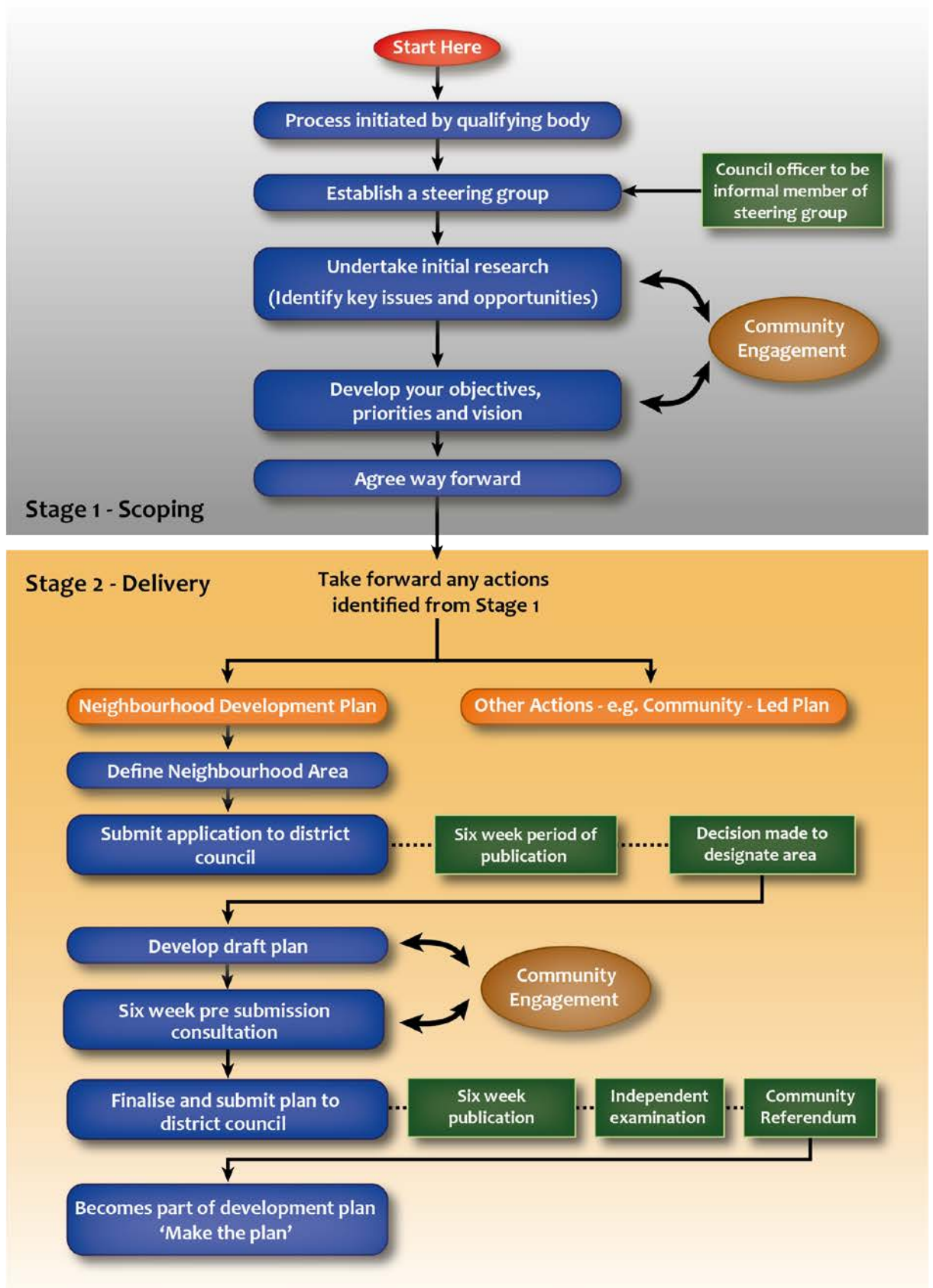
18. Once the community have identified what type of plan needs to be prepared, work can start on developing this. The diagram on page 7 helps to summarise the formal steps for preparing a neighbourhood plan and more detailed guides are available (see the 'where can we get further information' section on page 11).

## **Defining the neighbourhood area**

19. Once a decision is made to prepare a neighbourhood plan, you will need to designate the plan area. The town / parish council will need to make an application to the district council who will then publish the plan area for a four to six week period. Depending on the outcome of the publication period, the district council's Cabinet will formally decide whether to designate the plan area. This is a formal step in preparing a neighbourhood plan and must be completed before the other formal steps can be undertaken.
20. Although each application to designate a plan area will need to be considered on its own merits, it is unlikely that applications would be turned down, apart from in very exceptional circumstances.
21. The steering group should consider what an appropriate plan area is and this may be informed by the scoping work described above. If more than one town or parish council area is to be included then all of the town / parish councils involved will need to formally agree to the plan proposals and a 'lead' parish council needs to be identified to apply for the area to be designated and submit the plan to the district council.
22. Applications must include:
  - a map which clearly identifies the proposed neighbourhood area

- a statement which considers why this area is considered appropriate to be designated as a neighbourhood area
- a statement that the application is made by a town / parish council.

## Community/ Neighbourhood Planning Flow Diagram





## **Answering some important questions**

### **Is neighbourhood planning compulsory?**

23. Neighbourhood planning is optional, not compulsory. It is important that communities think carefully about whether preparing a neighbourhood plan will actually achieve what they want for their area, to avoid abortive work and unnecessary costs associated with neighbourhood plans.

### **Who leads on neighbourhood planning?**

24. Neighbourhood plans can only be prepared by 'qualifying bodies'. In parished areas, like in the Vale of White Horse, the 'qualifying bodies' must be town or parish councils.

25. It is however very important that neighbourhood plans are prepared with a wide range of community involvement. For this reason, it is recommended that a steering group is formed with representatives both from the town or parish council and from across the wider community, including representatives of key organisations within the community (possibly including business and voluntary groups). However, the final plan will need to be endorsed by the town or parish council prior to submission.

26. It is hoped that a council officer can be identified as an informal member of the steering group to provide technical guidance and support to the group.

### **How is development managed if we don't have a neighbourhood plan?**

27. Planning applications will be determined in accordance with the up to date 'development plan' for the area. This is currently the adopted Local Plan 2011. The Vale is currently developing its strategic plan for the district, Local Plan 2031 Part 1, which will supersede parts of the adopted Local Plan 2011.

28. The Local Plan 2031 Part 2 will provide more focused development management policies and allocations for non strategic housing. The Vale will begin work on this document once Part 1 has been adopted. As part of producing this document, the council will be working closely with parish councils and communities in areas chosen to accommodate development, particularly the larger villages.

29. Adopted neighbourhood plans will sit alongside Local Plan 2031 Part 2 and will form part of the development plan for their area. They will carry the same weight in decision making as an adopted Local Plan.

## **Vale of White Horse Development Plan**

30. This consists of the following documents:

- Vale of White Horse Local Plan 2011 – until replaced by the new Local Plan 2031, Part 1 of which is expected to be adopted in early 2017.
- Other planning documents such as Supplementary Planning Documents or adopted neighbourhood plans.

## **What is the relationship between a neighbourhood plan and a local plan?**

31. The development plan sets out the statutory planning policies for the whole of the districts as set out above. Local Plans are prepared by the district councils and set out policies for the whole of the district.

32. Neighbourhood plans, once adopted, form part of the development plan at a local level. However, they must be prepared to be in conformity with the local plan on strategic matters. It is therefore important that communities work closely with the district council when developing their neighbourhood plans.

## **What must neighbourhood plans do?**

33. Neighbourhood plans must meet basic conditions as specified by law. To meet these, the plan must:

- be appropriate, having regard to national policy
- contribute to the achievement of sustainable development
- be in general conformity with the strategic policies in the development plan for the local area
- be compatible with human rights requirements
- be compatible with EU obligations.

## **What is the status of an emerging neighbourhood plan?**

34. Before neighbourhood plans are adopted, they can be treated as a 'material consideration', in determining planning applications. The nearer the neighbourhood plan is to adoption; the more weight it can have. In practice, an emerging neighbourhood plan is unlikely to have significant weight in determining

planning applications. A plan will only be formally part of the development plan after it is adopted, following a successful referendum. Until this time, the plan should not be relied upon.

## **How much does it cost to prepare a neighbourhood plan?**

35. The cost of preparing a neighbourhood plan will depend on the size of the plan area, what the plan is seeking to do, and who is preparing it. The government has estimated that each plan could cost between £5,000 and £63,000. The cost will depend to a large extent on the skills available in the steering group and community. Higher costs will be incurred if you need to buy in consultants to assist with the work. Based on our experience so far, preparing a neighbourhood plan for a smaller market town or larger village, should be at the lower end of this price range in Oxfordshire.
36. The district council is responsible for some aspects of the plan (see 'what is the district council's role in neighbourhood planning' section below).
37. The town or parish council will be responsible for preparing evidence, consultation, printing / distribution and conducting some of the statutory stages, such as completing a sustainability appraisal.

## **What is the district council's role in neighbourhood planning?**

38. Local authorities have a duty to support neighbourhood planning at key stages of the process, which include the following;
  - confirming the geographical area of the neighbourhood plan;
  - undertaking the formal consultation on the draft neighbourhood plan prior to the independent examination;
  - arranging the independent examination;
  - holding the referendum;
  - making the neighbourhood plan part of the development plan where all legal requirements have been met.
39. A more detailed guide to the stages of preparing a neighbourhood plan where the local authority has a statutory role is shown by Annex 1.
40. Vale of White Horse District Council will seek to provide informal guidance and support where this is practical. This will include providing policy guidance to support neighbourhood planning steering groups. The government has made some funding available this year to help us meet our costs in supporting

neighbourhood planning. We will use this to provide some financial support to those first communities to make a start on plans. The government will announce next year details of further financial support and this will allow us in turn to make further announcements about what level of financial support we can offer.

## What funding is available for producing a Neighbourhood Plan?

41. The council offers a Neighbourhood Planning Grant for groups that have committed to producing a Neighbourhood Plan. The money is offered to town and parish councils that have received approval of their area designation and following receipt of a costed project plan. The grant is offered to assist with the cost of producing a Neighbourhood Plan.
42. Funding is also available from central government, through the My Community Rights website, for supporting neighbourhood planning groups. This is offered through direct support and advice and grant payments of up to £9000 per neighbourhood area. This amount can increase a further £6000 for groups facing complex issues. For further information and to apply, visit:  
<http://mycommunity.org.uk/programme/neighbourhood-planning/>

## Where can we get further information?

43. Locality offers support for neighbourhood planning:

### Locality

<http://mycommunity.org.uk/programme/neighbourhood-planning/>

They have produced guidance on site selection, housing needs surveys, commissioning consultants, writing policies, community consultation and screening for Strategic Environmental Assessment. These are available in their 'Key Resources Kit'.

<http://mycommunity.org.uk/resources/neighbourhood-planning-the-key-resources/>

There are many more available on their site including;

- Character assessment guidance  
<http://mycommunity.org.uk/resources/neighbourhood-planning-how-to-prepare-a-character-assessment-to-support-design-policy-within-a-neighbourhood-plan/>
- A viability toolkit  
<http://mycommunity.org.uk/resources/viability-toolkit-for-neighbourhood-planning/>
- Guidance on design in Neighbourhood Planning  
<http://mycommunity.org.uk/resources/design-in-neighbourhood-planning/>

44. Other useful information can be found at the following websites:

**Communities and Local Government**

<https://www.gov.uk/neighbourhood-planning>

**The Royal Town Planning Institute (Planning Aid England)**

<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

**Historic England and Neighbourhood Planning**

<https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

**Landscape Institute and Neighbourhood Planning**

[http://www.landscapeinstitute.org/knowledge/documents/NeighbourhoodplanningTIN04\\_16.pdf](http://www.landscapeinstitute.org/knowledge/documents/NeighbourhoodplanningTIN04_16.pdf)

**National Association of Local Councils in Partnership with the Campaign to Protect Rural England**

<http://planninghelp.cpre.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-plans>

**Centre for Sustainable Energy: 'Low Carbon Neighbourhood Planning'**

<https://www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/energy-advice/planning/renewables/low-carbon-neighbourhood-planning-guidebook.pdf>

**DIY SA**

<https://levetttherivel.files.wordpress.com/2015/09/diysa.pdf>

## Frequently Asked Questions

45. The Planning Advisory Service (PAS) website is a useful source of information and guidance about neighbourhood planning. It includes a comprehensive guide to **frequently asked questions** and is regularly updated. This information can be found at the following website:

**Planning Advisory Service**

<http://www.pas.gov.uk/neighbourhood-planning>

## Glossary

### Community Led Plan

The purpose of a community led plan is to set out a vision of how your community wants to develop and identify the actions needed for you to achieve it. A comprehensive community led plan is based on a detailed consultation and can address a wide range of issues affecting the whole community.

### Local Plan

An example of a Development Plan Document (DPD) that sets out the spatial vision and strategic objectives for the district and usually allocates large-scale (strategic) development sites. This type of plan was previously referred to as the 'Local Development Framework'.

### Local Planning Authority

A local planning authority is the local authority or council that is empowered by law to exercise statutory town planning functions for a particular area of the United Kingdom.

### Localism Act

The Localism Act includes five measures that underpin the government's approach to decentralisation.

- Community rights
- Neighbourhood planning
- Housing
- General power of competence
- Empowering cities and other local areas.

The full act can be viewed online at:

<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) is a key part of the government's planning reforms and is designed to make the planning system less complex and more accessible. It sets out the government's planning policies for England and how they should be applied. It is designed to promote sustainable growth.

## **Neighbourhood Area**

A neighbourhood area is the area covered by a neighbourhood plan. It has to be formally designated by the local planning authority (see page 5).

## **Neighbourhood Plan**

A neighbourhood plan can set out planning policies for the development and use of land for a given neighbourhood area (usually a town or parish area). The plan might specify, for example, where new homes and offices should be built, and what they should look like. The plan could also set a vision for the future, and can be detailed or quite general depending on what local people might want.

## **Neighbourhood Development Order**

A neighbourhood development order grants planning permission for certain types of development, which are defined by the order, within the neighbourhood plan area. The permission could be full or outline, could have conditions attached and could be site specific or grant more general development rights across the whole area.

## **Statement of Community Involvement**

A document setting out how the authority will consult and involve the public at every stage in the production of the Local Plan.

## **Strategic Environmental Assessment/ Sustainability Appraisal**

Strategic Environmental Assessment (SEA) and Sustainability Appraisals (SA) are assessments of certain plans (including neighbourhood plans) and policies on their affect on the environment and whether they will contribute towards delivering sustainable development. SEA and SA are a requirement of European Legislation.

**Notes:**