

Abstract from CPRE paper on Neighbourhood Planning (August 2014)

Develop a vision and objectives

There is no requirement to develop a vision or objectives, but you may find it useful to have one or the other, or both, to help guide the preparation of your Neighbourhood Plan. A vision and objectives can help to make it clear what your Neighbourhood Plan is aiming to achieve.

Vision

A good vision does not have to be very long but will:

- Be long term, for example looking forward 15–20 years, or the period that is covered by the Local Plan.
- Be strategic, setting out a broad picture of your aspirations for your neighbourhood but will not include lots of details.
- Describe what you want your neighbourhood to look like, so people can form an image of the homes, businesses, shops, community facilities and open space it will contain.
- Consider what land use and development challenges will need to be addressed over the period covered by your Neighbourhood Plan.

Objectives

Objectives are more specific and set out what the Neighbourhood Plan aims to achieve. If you have a vision, look at each part of the vision and decide what needs to be done to achieve it.

Examples of objectives

- (1) To develop a vibrant and prosperous neighbourhood by encouraging development that supports a range of good quality jobs, businesses, shops and services that meet the needs of local people and protects and enhances the quality of the local environment.
- (2) To provide new and diverse leisure and recreational activities in order to promote healthy and crime-free lifestyles, particularly for youngsters.

You may find it useful to consult your local community on the draft vision and objectives in order to find out if everybody agrees with them, whether there is anything crucial missing, or whether they can be improved in any way.

If you are undertaking a Sustainability Appraisal, Government guidance suggests that it should be underpinned by a series of sustainability objectives and criteria, sometimes referred as the ‘sustainability framework’. Further information on this is set out later in this document.

Generating options for your draft Neighbourhood Plan

It can be tempting to launch straight into preparing your draft Neighbourhood Plan. And you may think you already know what needs to happen. However, there are often choices to be made. If your local planning authority has advised you that your Neighbourhood Plan requires a Sustainability Appraisal, you will need to consider different options to include in the plan (also known as ‘reasonable alternatives’ in a Sustainability Appraisal).

Even if your Neighbourhood Plan does not require Sustainability Appraisal, the consideration of different options can help you decide what works well and what doesn’t, and to gather people’s views on which option they would prefer to see happen.

Types of option

Options can be generated from ideas developed by the parish or town council, or from other consultation exercises that you may have held involving the wider community. If you have developed a vision and/or objectives, you may wish to see which options are most likely to achieve them.

The sort of options you want to consider could vary depending upon the type of Neighbourhood Plan that you are preparing, for example whether it is general and broad-brush, or narrow and detailed. Examples of types of options include:

- The scale, type, mix and location of development (e.g. if a need for affordable housing has been identified – where might it be located, how many houses or flats are needed, and should the scheme also include market housing, the provision of community facilities, space for businesses, and open space for recreation, play areas and wildlife).
- Alternative ways of using land that the local community has identified as being appropriate for development or other uses such as open space, tree planting or environmental improvement.
- Different ‘conditions’ that might be applied to development, such as how development should look (its design), how transport issues should be incorporated, or what standards to include with respect to issues such as renewable energy, landscaping and the inclusion of waste and recycling facilities.

Top tip

When considering options it is recommended that you include a ‘do nothing’ option (also known as ‘business as usual’). This being what would happen to the plan area and sites in question if a Neighbourhood Plan were not to be prepared (e.g. by relying on Local Plan policies).

You may need to generate a series of options for dealing with different issues. The number of options that you will generate is likely to be influenced by the intended scope of your Neighbourhood Plan:

- If your Neighbourhood Plan is dealing with a single site, then there may be just two or three options you feel you need to consider for that site.
- If the Neighbourhood Plan covers a large area, and aims to address the whole of the neighbourhood in a comprehensive way, there may be a number of options, grouped around issues and topics.

When considering options, it’s important that they are realistic and achievable. If you have aspirations for a new children’s play area, for example, how might this be delivered and who would pay for it? If you believe there is a need for more affordable housing in your community, is there a housing association or a key landowner that you could have initial discussions with to help identify appropriate sites?

In developing your options it is advisable that you check them against the strategy and policies in the Local Plan to ensure that there are no major conflicts. It may also be sensible to ask the local planning authority if your options are reasonable, and also to check whether there are any issues in the technical work that they have carried out in connection with the Local Plan that ought to be taken into account. This might include, for example, a survey of local housing need.

Test the options

If you are undertaking a Sustainability Appraisal it can play an important role in helping to test your options. Having defined your options, you may find it helpful to consult on the findings to help inform your final choice. At a minimum, the options you have identified should be considered by the parish or town council.

Top tip

Questions you might ask when testing your options include:

- Have we identified the right options?
- Are there any options that we should have thought of that are missing?
- Which option(s) do you prefer and why?

This will help to reinforce the sense of involvement and ownership in the final Neighbourhood Plan. The local planning authority may be able to provide officers to help facilitate this process.

Preparing your draft Neighbourhood Plan

You will already have described the issues and problems that your Neighbourhood Plan is aiming to address and you may have agreed the vision and/or objectives for your Neighbourhood Plan. It’s recommended that these form the ‘upfront’ sections of your draft Neighbourhood Plan.

You now need to decide the detail to include in your draft Neighbourhood Plan. This would normally be the **options that have the most support**, and perform best against the sustainability objectives and criteria if you have carried out a Sustainability Appraisal, unless there is good reason to choose another option (e.g. there may be a piece of land that would be ideal for development of a community centre, but the landowner is unwilling to use the land for that purpose).

If you are undertaking a Sustainability Appraisal as part of preparing your Neighbourhood Plan, **the ‘effects’ of the policies** and proposals in your draft Neighbourhood Plan should be **appraised** against sustainability objectives and criteria. If your Neighbourhood Plan area includes or is close to a wildlife site that has been designated as being of international importance – known as Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites – your Neighbourhood Plan may need to be subject to Habitats Regulations Assessment, sometimes known as Appropriate Assessment (see box below).

Habitats Regulations Assessment (Appropriate Assessment)

The purpose of Habitats Regulations Assessment is to ensure that a plan will not result in significant damage to designated wildlife sites. You can find out whether this will apply to you by asking your local planning authority, or the Government’s statutory adviser on nature conservation – Natural England. If it’s decided that a Habitats Regulations Assessment is required, then it is recommended that you ask your local planning authority for advice and assistance, since this requires technical skills that most parish or town councils, or neighbourhood forums, are unlikely to have.

Drafting policies

If you look at your Local Plan, you will see what is meant by policies. Policies set out the key details of what you want to happen. Policies can be quite short (a few sentences) or quite long (but generally no longer than one page). It is useful to include more detailed explanation in ‘supporting text’ to the policy to justify the policy and to put the ‘meat on the bones’ on what it is that your Neighbourhood Plan is really trying to achieve.

Types of policy

There are different ways of writing policies. It’s recommended that the policies set down the key components of development or use of land that your Neighbourhood Plan will support, and the criteria that will be used to decide whether a proposal is likely to be acceptable or not. Some policies might be ‘actions’ – things that you want to happen, such as the development of housing or community facilities. Other policies might be a set of ‘criteria’, describing what development should look like, and the issues development will need to take into account if it’s to be granted planning permission.

Possible types of policy include those which:

- Allocate specific sites for development, setting out what the development should comprise (e.g. if you want housing to happen on a particular site, you may wish to ensure that the housing type is targeted at first-time buyers, or elderly people) and information about design (e.g. to ensure that it fits with local building styles and character, sometimes known as ‘the local vernacular’).
- Set out specific requirements for a piece of land, for example in relation to access, landscaping, play areas.
- Specify which locations will be protected from development, such as open space, nature reserves, allotments, historic assets, gardens.

Seek to protect certain community buildings and land uses from changes of use, such as pubs and village shops and develop policies that are:

- area based, for example setting out areas (and boundaries) that will be reserved for certain uses, such as shopping areas.
- general in nature, and will apply to all development proposals in your Neighbourhood Plan area, such as the maximum height of buildings, or the use of renewable energy.

Top tip

Check each policy against the agreed vision and objectives of your Neighbourhood Plan to ensure that they will help achieve the aspirations of the Plan and do not create any conflicts with any other policies. Also make sure that nothing important is missing in terms of addressing the vision and all the objectives in your plan.

Proposals map

It is recommended that your draft Neighbourhood Plan includes a ‘**proposals map**’. A proposals map shows which areas of land have been allocated for which uses (these should be linked to policies in your Neighbourhood Plan), including those areas that are to receive protection from development (again linked to policies in your Neighbourhood Plan). If your Neighbourhood Plan is dealing with a single site, then the proposals map may show in broad terms which parts of the site should be used for different uses, including access and open space. Again, your local planning authority should be able to help you with this.

Making it happen

Before completing your Neighbourhood Plan, it is recommended that you carefully check it to make sure that what you are proposing stands a realistic chance of actually happening. You may find it useful to add a section on **'implementation'** or prepare a separate implementation plan. The implementation section sets out what actions are required to turn your Neighbourhood Plan into reality on the ground. For each policy, this should describe the linked actions, who is responsible for undertaking action, the priority the action should be given (e.g. high, medium, low), the timetable for the action, and the source of any funding to enable the action to happen.

You might find it useful to include targets and indicators to measure whether or not the policy is being achieved once your Neighbourhood Plan is adopted (monitoring is also a requirement of Sustainability Appraisal).

Top tip

It will be important to ensure that you 'sign up' all those organisations and individuals for whom an action has been identified in the implementation section otherwise your Neighbourhood Plan may face problems being turned into reality.

Consultation and submission

Consultation on your draft Neighbourhood Plan

Once your draft Neighbourhood Plan has been prepared a formal consultation with your community, lasting at least 6 weeks, is required. If you have prepared a Sustainability Appraisal report this will also need to be consulted upon at the same time.

Top tip

Before going out to consultation, you may find it helpful to check with your local planning authority that all the documents and the consultation process are in order. Some bodies must be consulted on your draft Neighbourhood Plan if it proposes development that could affect their interests. If they were required the consultees may also need to review your Sustainability Appraisal and Habitats Regulations Assessment. These are known as **statutory consultees**, and include:

- the County Council;
- the Environment Agency;
- English Heritage; and
- Natural England.

Your local planning authority should be able to provide you with a full list of statutory consultees. It is recommended that the following bodies are also formally consulted, again not just on the draft Neighbourhood Plan but where appropriate also on your Sustainability Appraisal and Habitats Regulations Assessment where relevant:

- neighbouring local authorities, parish and town councils; and
- landowners and community organisations that will be affected by your Neighbourhood Plan.

You will also need to consult the wider public. This could be done through a variety of means, including written consultations, events, meetings and so on. The consultation process will need to be carefully designed with clear questions asked, and with people given easy-to-understand instructions to identify which parts of the draft Neighbourhood Plan or the accompanying documents they are commenting upon. Your local planning authority may be able to advise on how best to go about this.

In submitting your proposed Neighbourhood Plan you will need to include information on how you consulted the wider public, what responses you received and how you took any comments on board in revising the draft. You may, therefore, find it useful to prepare a **'consultation comments schedule'** which sets out who the comment is from, what part of the Neighbourhood Plan (or supporting documents) the comment refers to, and your response to the comment made (e.g. changes that will be made to your Neighbourhood Plan).

Submitting your proposed Neighbourhood Plan

Once the consultation comments have been analysed, and appropriate changes made to your draft Neighbourhood Plan (and to the Sustainability Appraisal and Habitats Regulations Assessment if required) you

will be ready to submit your final version of your proposed Neighbourhood Plan to your local planning authority. This will need to be accompanied by:

- A plan or statement showing the area covered by your Neighbourhood Plan.
- A written statement explaining how your Neighbourhood Plan meets relevant legal requirements (ask your local planning authority for advice on what these are).
- A '**consultation statement**' that contains details of who was consulted on the draft Neighbourhood Plan, how they were consulted, the main issues and concerns raised, and how these have been addressed in your Neighbourhood Plan.

Your local planning authority will carry out a final check to ensure that your Neighbourhood Plan and all accompanying documents comply with legal requirements. Once your local planning authority is satisfied that everything is in order, they will formally publicise for a minimum of 6 weeks that you have submitted a proposed Neighbourhood Plan. At this point those who live, work or carry on business in the area covered by your Neighbourhood Plan can submit further comments to the local planning authority who will pass them on to the person undertaking the independent examination.

Independent examination

Examination process

Your local planning authority will arrange for the independent examination of your Neighbourhood Plan. The examiner is appointed by your local planning authority but the person can only be appointed with the agreement of the body responsible for preparing the Neighbourhood Plan. The arrangements for the examination will be decided by the examiner in consultation with your local planning authority and your parish or town council, or neighbourhood forum, whichever is relevant. The main purpose of the examination is to ensure that your Neighbourhood Plan:

- Meets European obligations.
- Has regard to national planning policies.
- Is in general conformity with the strategic policies of the Local Plan.
- Is compatible with adjoining Neighbourhood Plans.
- Contributes to the achievement of sustainable development.

It's likely that the examiner will wish to consider written representations (comments objecting to or supporting your Neighbourhood Plan) rather than hearing comments in person, but a public hearing may be called if the examiner feels this is required.

Top tip

If a public hearing is held and you intend to speak you may need to prepare yourself to answer questions about your Neighbourhood Plan. You may be asked about the process (how it was prepared including the role of consultation and, if relevant, Sustainability Appraisal) and the content (e.g. to provide evidence or justification for a particular policy approach).

The examiner's report

Once the examination is over, the examiner will issue a report that is likely to include one of the following recommendations:

- That your draft Neighbourhood Plan should proceed to a referendum.
- That your draft Neighbourhood Plan should proceed to a referendum, subject to certain amendments.
- That your draft Neighbourhood Plan should not proceed.

If the recommendation is that the Neighbourhood Plan should not proceed to a referendum the reasons for this should be explained. The community will then need to consider whether, and if so how, they can address these concerns. If they feel the changes that would need to be made are acceptable they can look to submit the revised version for further examination in the future.

If the recommendation is that the plan should proceed to a referendum the examiner may give advice on the communities to be covered by the referendum (which could go beyond the area covered by your Neighbourhood Plan). This may be, for example, because your Neighbourhood Plan proposes a site for development near to the boundary of your neighbourhood area and so the examiner wishes to extend voting rights to residents the other side of the boundary.

Your local planning authority will consider the examiner's report, decide whether the recommendations should be followed, and will then publish its decision, notifying those who prepared and submitted the Neighbourhood Plan.

Referendum and adoption

Referendum

Assuming that the examiner recommends that your draft Neighbourhood Plan can proceed then your local planning authority will organise and pay for a referendum. The rules for the referendum are set out in the Neighbourhood Planning (Referendums) Regulations. The question that the referendum has to ask is: ***“Do you want [insert name of local planning authority] to use the neighbourhood plan for [insert name of neighbourhood plan area] to help it decide planning applications in the neighbourhood area?”***

Anybody registered to vote in the area covered by your Neighbourhood Plan will be entitled to vote. A simple majority of votes (over 50% of those voting) in favour of your Neighbourhood Plan is sufficient for it to succeed.

Adoption

Assuming a simple majority is achieved, your local planning authority will adopt your Neighbourhood Plan as part of the development plan. This may include policies in your Neighbourhood Plan taking precedence over policies in the Local Plan, where they apply to the specific area covered by your Neighbourhood Plan.

The local planning authority will publish the Neighbourhood Plan on its website and tell those who commented on the proposed Neighbourhood Plan. A hard copy may also be made available in the public library.

Implementation and monitoring

Once your Neighbourhood Plan has been adopted, planning applications will still be determined by the local planning authority in the normal way, but taking into account policies in your Neighbourhood Plan as well as the Local Plan. Development granted permission by an adopted Neighbourhood Development Order or a Community Right to Build Order may be implemented.

The developer will have to submit their proposals to the appropriate local authority or parish council, however, who will make sure that they are in line with the permission granted by the Neighbourhood Development Order.

You may wish to monitor progress against your Neighbourhood Plan. This will help to ensure that momentum is not lost, and that the aspirations of the community are met. You may want to review your Neighbourhood Plan to keep it up-to-date and relevant.

Further information on Sustainability Appraisal

The vision and objectives for your Neighbourhood Plan should be informed by your Sustainability Appraisal. Government guidance suggests that a Sustainability Appraisal should be underpinned by a series of sustainability objectives and criteria, sometimes referred as the 'sustainability framework'. These are derived from an analysis of the social, economic and environmental issues and problems facing a plan area, taking into account international, national, regional and local policy objectives.

The sustainability framework provides a systematic way of appraising the draft plan, and reasonable alternatives to the draft plan. If in doubt, you can use the sustainability framework for the Local Plan as the starting point for developing your own sustainability framework. Your local planning authority can provide advice on this.

The sustainability framework can be used to appraise each of the options. This is achieved by deciding how each option is likely to perform against each of the sustainability objectives and criteria. It is common practice to use symbols, such as ticks (✓) and crosses (✗) to show whether the option would have a positive or a negative effect on each sustainability objective included in the sustainability framework. The greater the effect, the more ticks or crosses you could include. For example, if you think that an option that delivers 30 new affordable homes will meet all the housing need in your community, you may decide to give it three ticks (✓ ✓ ✓) against the sustainability objective 'to meet the housing need of the neighbourhood'. If, on the other hand, one of the options for locating the affordable housing would mean losing a small amount of green space, you may wish to give it a single cross (✗) against the sustainability objective 'to protect open space and wildlife'.

If there is likely to be no effect of an option against a sustainability objective, it's OK to leave the appraisal blank (or include a zero '0' to show that you have thought about it but decided there would be no effect). If you are not sure whether the effect would be positive or negative, include a question mark '?'. It is helpful to include a short commentary for each option to describe how you came to your 'scores', and also to draw conclusions about which of the options performs best against the sustainability objectives and criteria.

The 'effects' of the policies and proposals with respect to each sustainability objective should be set out and considered when preparing your draft Neighbourhood Plan. If it's found that there are not many positive effects, or that there are negative effects against a sustainability objective, you should see if there are any improvements that can be made to the policies to make them perform better.

The results of the Sustainability Appraisal should be pulled together into a separate Sustainability Appraisal report, which should describe the effects of your draft Neighbourhood Plan and the options previously covered. There are certain legal requirements on the information to be included in a Sustainability Appraisal report. It's recommended that you contact the local planning authority to ensure that your Sustainability Appraisal report has been prepared correctly.

End.