Welcome
to the
Wealden Parish Clerks’ Conference

Monday 16 April 2012
Neighbourhood Plans

David Phillips
Head of Planning Policy and Environment
Neighbourhood Planning (General) Regulations 2012

• Came into force 6th April 2012
• Part 1 General
• Part 2 Neighbourhood Areas
• Part 3 Neighbourhood Forums
• Part 4 Community Right to Build
• Part 5 Neighbourhood Plans
Regulations cont.

- Part 6 Neighbourhood Development Orders
- Part 7 Community Right to Build Orders
- Part 8 Revocation procedures
Opportunities (1)

• Can set planning policies to determine applications

• Grant planning permission through
  – Neighbourhood Development Orders
  – Right to Build Orders

for development that complies with them
Opportunities (2)

• ‘Outside these strategic elements NPs will be able to shape and direct development in their area’ (NPPF)

• ‘Once general conformity demonstrated and NP adopted policies it contains take precedence over non-strategic policies in Local Plans where they are in conflict’ (NPPF)
Opportunities (3)

• Greater opportunities for growth in some areas

• Opportunities will NOT be equal for all Towns/Parishes/Neighbourhoods

• Constraints of NPPF/Core Strategy eg Habitats Regs and AONB
What do you want to achieve?

• WDC Core Strategy broadly supports what Towns/Parishes advised us they wanted
• Over and above the LDF/Core Strategy
• From what is a growth/deregulation agenda
• Are there other ways of achieving your aims?
Considerations

• Outcomes and expectations
• Procedures and consultation arrangements
• Resources and timescales
Update on Front Runners
(aka Vanguards)

• 200+ Five waves but no draft plans yet

• LA duty: different approaches
  Responsive / collaborative / arms length

• Resources? CLG / LAs / PAS, Prince’s Trust,
  RTPI, CPRE, other local … / Community…

• Costs? Huge variation in estimates £5-10k
  (Broadlands)… £60-70k…. upwards of £100k – need
  to be realistic and proportionate
Learning…

• Expectation management
• It’s about very local planning
• Links with the local and community plan
• It’s a collaborative process
• Be clear about what resources you have
• No one-size-fits-all
• Role of ward councillors
More learning…

• Enthusiasm varies
• Realism about development
• Concern re development just outside neighbourhood area
• Inclusivity
• Local authority co-operation / resource
• Neighbourhood planning ‘divide’
Potential issues…

- Community resources / capacity
- Community belief / enthusiasm
- Need for new procedures at LA level – area approvals, capacity for technical support
- Emerging Local Plan context
- Going beyond conventional planning
- Business initiated plans
- Working with developers
Getting started…

• Assess demand
• Scope resources available
• A guide on neighbourhood planning
• Early & frank discussions
• What are your issues
• What tools are available
• Involve ward councillors
• Don’t re-invent the wheel
Neighbourhood Plans: Basic requirements

• Ambitions should be aligned with and support strategic needs of wider local area

• Must be in general conformity with NPPF and strategic policies of the Local Plan.

• Should not promote less development than set out in Local Plan or undermine strategic policies
Limitations

- Must be in line with
  - National planning policy
  - Strategic vision for the wider area (the Local Plan / LPA)
  - Legal requirements…

(Plain English Guide to the Localism Act, CLG)
LPA Duty to advise and support

- Assessing demand and objectives
- Resources and prioritisation
- Level and type of support required
Local Plan: Opportunities to work together

Marina Brigginshaw
Planning Policy Manager
Local Plans & Neighbourhood Plans – the new relationship

- Re-branding of Development Plan Documents and the introduction of Neighbourhood plans
- Creation and adaptation of partnerships with new style of plans
- New opportunities whilst ensuring a robust Plan-led approach
Local Plans

Core Strategy
- Overall amount of growth and distribution
- Broad Locations of Strategic Development Areas
- Strategic Policies
- Only 2 1998 Local Plan Policies superseded

Strategic Sites
- Focus only on Strategic Development Areas
- Defines where development will take place
- Bespoke policies for Strategic Development Areas

Delivery and Site Allocations
- Strategic area polices
- Local area policies
- Development boundaries
- Village allocations
- Infrastructure allocations
Local Plan development

Core Strategy
- Examination
- Proposed Modification and NPPF
- Consultation
- Adoption 2012

Strategic Sites
- Issues and Options
- Proposed Local Plan
- Consultation (Feb/ March 2013)

Delivery & Site Allocations
- Work about to commence
Creating a Local Plan

A sound plan must

• Conform with National Policy
  • NPPF and Gypsy and Traveller Policy

• Conform with National Legislation/ Regulations
  • Sustainability Appraisal and consultation

• Have regard to other strategies

• Conform with European Legislation
  • Strategic Environmental Assessment, Habitat Regulations

• Have a robust evidence base
Who else is involved in Plan making?

Stakeholders

• Parish and Town Councils
• Environment Agency
• Highways Agency / Highways Authority
• Natural England
• Developers …etc

… everyone interested in the Plan has an influence
How a is Local Plan Developed

- Develop options
- Undertake a Sustainability Appraisal of options
- Publish results and consult on the options
- Refine options
- Undertake a sustainability appraisal of options
- Publish proposed plan for representations with Sustainability Appraisal
How Town & Parish Councils can get involved in the Local Plan

Where growth and change is being considered in a particular area we can work collaboratively:

• Develop Options
• Undertake Sustainability Appraisal
• Get involved with
  – consultation
  – the evidence base
  – other stakeholder engagement
• Help refine options
• Get involved in the examination
What does this mean for a Parish or Town Council?

You can be involved in the Plan making process to suit your Parish / Town needs and resources

• You will be involved in strategic policy as well as local policy

• You will become familiar with national and European legislation/ policy

• You will be involved with other Stakeholders who have an interest in the Plan
What does this mean for us?

• We are still working on strategic policy, so we will know that proposals for settlements will conform with strategic policy

• We will have access to local knowledge in abundance

• Stakeholders will have a dialogue with those people who are the most affected by Plans
Time for a short break!
Discussions
What do you think?…please give examples!

1. In what circumstances might a local council
   a) aim to achieve local aspirations through WDC's Site
      Allocations DPD?
   b) consider a separate Neighbourhood Plan, in addition
      to WDC's Site Allocation DPD and other strategic
      policies, would best achieve local aims?

2. Should there be dialogue & co-operation
   between parishes to ensure a cohesive
   approach to local growth?

3. If so, is this happening or are there obstacles?
A Major Change for Planning

Development Management, Neighbourhood Planning and NPPF

A Major Change for Planning

Kelvin Williams Head of Planning and BC
Development Management

• PA – dealing with Planning Applications using National Planning Policy Framework (NPPF) [central guidance]
• Core Strategy/Local Plans (12 months)
• Neighbourhood Plans (NPs)
• Caselaw and Appeals
• Planning History
• Other Considerations
A Difference or not?

Previous Situation
• More detail
  - Non Statutory Plan (clear?)
  - Wealden Plan (saved policies)
• Detailed PPS / PPG
• R.S.S
• Appeals & Case law
• Circulars & Technical Guidance

New Situation
• Core Strategy (open to interpretation)
• NPPF (open to interpretation)
• NPs (in conformity with NPPF & CS
• Appeals & Case law
• Circulars & Technical Guidance
Neighbourhood Orders

• Permitted Development - development requiring no formal permission from LPA or parish

• De-regulation - objective of the Government via the NPPF
Development Management must consider development favourably

Planning Officers’ consideration of NP: will it be different from the existing processes?

- Consultation and determination
- At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision taking.
- Economic / Social / Environmental
Decision taking means…

- Approving development proposals that accord with the development plan without delay and
- Where the relevant development plan is absent, silent or out of date, granting permission unless
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits ...
- specific policies - development should be restricted

(Views of the Chief Planner CLG)
Local Engagement via DM will it change?

Currently
- Wealden DM
- Planning Parish Panel
- Pre-application involvement
- Committee Briefings
- Constitution (links)
- Pilot - with Uckfield

What will change with NP?
Why have a NP?

- Will it be necessary?
- Will it change decision making?
- Will make a real difference?
- Will it stop development?
An Alternative

Devolved decision making…

- Reports drafted by P.O
- Local decision making
- Decision making with responsibility
- Design guides
- Parish Master plans? - informed decision making
Re-cap on NP

- Do you need a plan?
- NPs need to be in conformity
- What is the cost of a NP?
- Have you a strategy?
- Is there local buy in?
- What will be the benefits of a NP?
- Will it affect planning application decision-making?