



**Planning Aid**

England

*Engaging Communities in Planning*

# Changes to the Planning System

Martin Harradine, Planning Aid Volunteer



# The Big Society

“For far too long local people have had too little say over a planning system that has imposed bureaucratic decisions by distant officials in Whitehall and the town hall. We need to change things so there is more people-planning and less politician-planning, so there is more direct democracy and less bureaucracy in the system. The reforms will become the building blocks of the Big Society.”

Eric Pickles, Communities Secretary

November 2010



# The Big Society

“We want local people to be able to make more of their own choices about what their home town should look like in the future. These reforms offer a scope for self determination unheard of until now. Localism in planning will create the freedom and the incentives for those places that want to grow, and to reap the benefits. It’s a reason to say ‘yes’.”

Greg Clarke, Minister for Planning and Decentralisation  
November 2010



# The Localism Act

## - What's Behind It?

- The Planning System is vital for:
  - a strong economy
  - an attractive & sustainable environment
  - a successful democracy
- The present Planning System is broken:
  - housing shortage & affordability problems
  - delays
  - too much central interference



# The Localism Act (enacted Nov 2011)

“For too long, local people were held back and ignored because Whitehall thought it knew best. That is changing for good. Councils have their General Power of Competence and residents have a real power over decisions like council tax, town hall pay, planning, community buildings or local services.”

Secretary of State for Local Government and Communities

Eric Pickles

November 2011



# Localism & Planning?

- Neighbourhood Plans
- Neighbourhood Development Orders
- Community Right to Build Orders
- Revocation of Regional Spatial Strategies
- LDF Public Examinations – inspector’s report no longer binding on a local authority
- Recently enacted – phased implementation



# Neighbourhood Plans

- Production by Parish/Town Councils and ‘Neighbourhood Forums’ where not parished
- Minimum 21 local sponsors – can include businesses
- Must accommodate ‘strategic policies’ of LDF
- Can accommodate more but not less development than identified in LDF
- Can identify sites for that development
- Independent examination & referendum
- ‘Adoption’ by local authority as SPD



# Neighbourhood Development Orders (NDOs)

- Community right to grant planning permission for specified development/classes of development in an area
- 50%+ referendum majority in favour requires local authority to make order



# Community Right To Build Orders

- Bit like NDOs
- Relate to proposals by community organisations
- 50%+ of members must live in designated neighbourhood area
- Order grants permission for specific development on specific site
- Subject to referendum

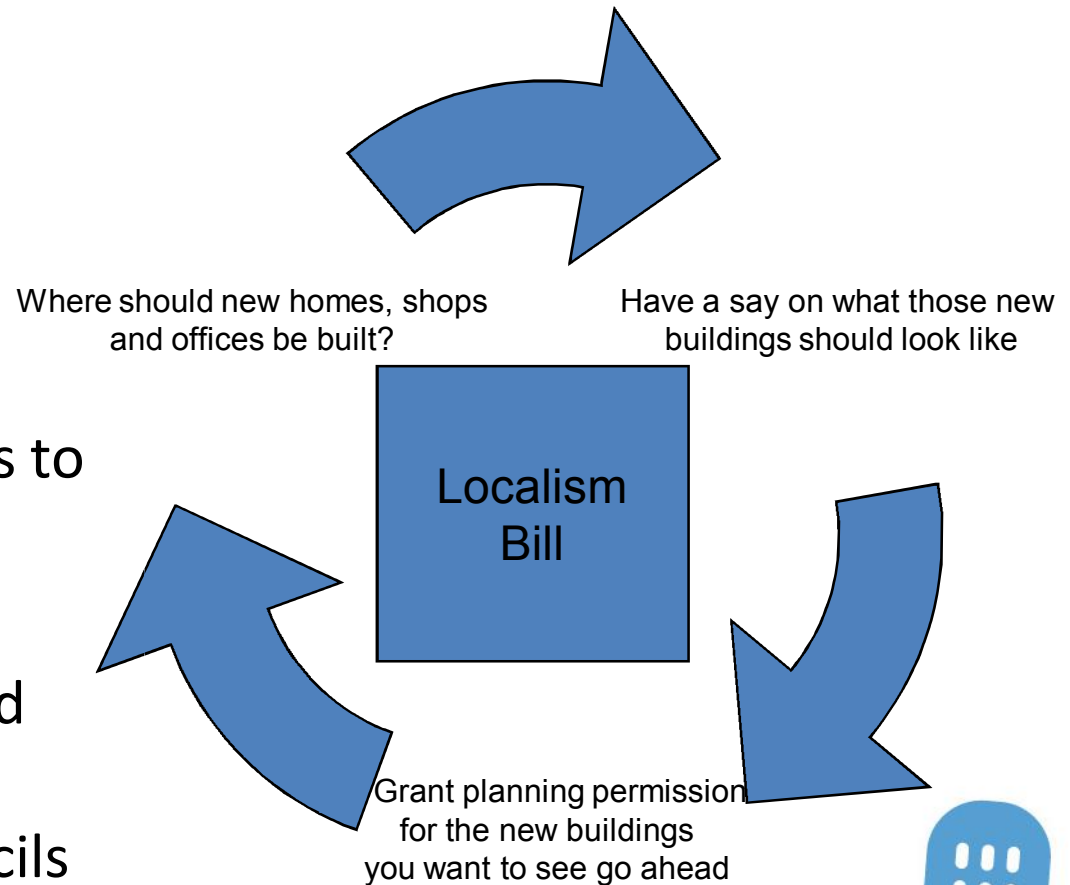


# Neighbourhood Plans



# What is it?

- New way for communities to decide the future of the places they live and work
- Government want to hand some power back to local residents, business, councils and civic leaders



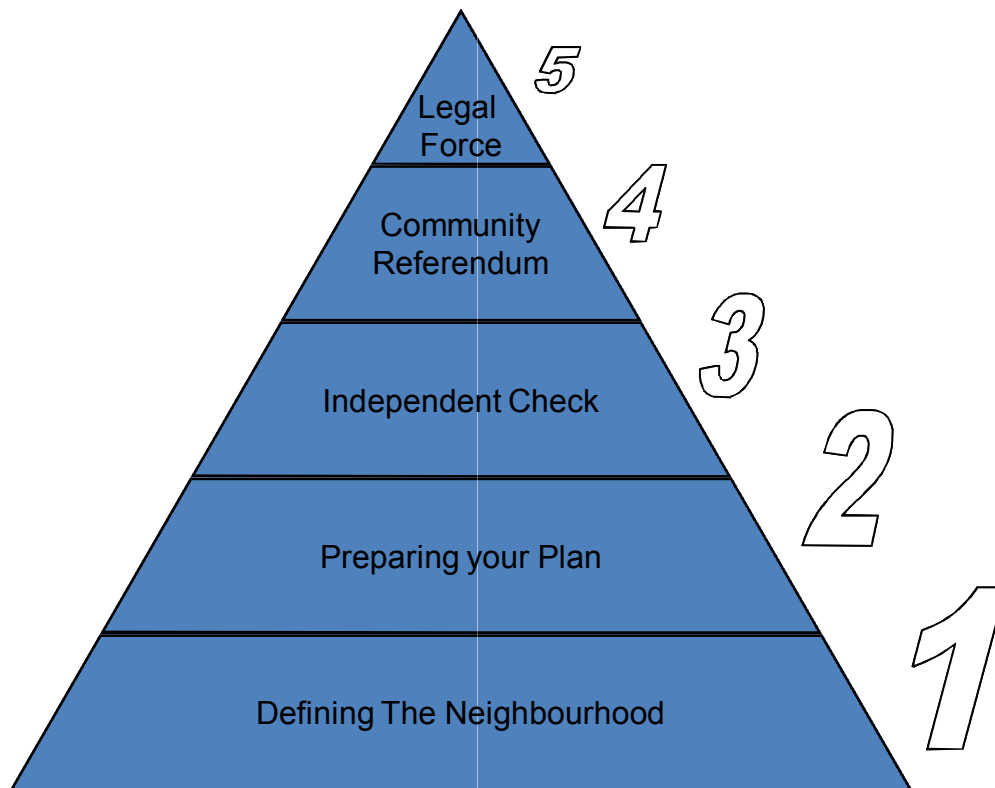
# Why does it matter?

Neighbourhood Planning is  
OPTIONAL not  
Compulsory

Government think however  
lots of communities will  
want to influence where they  
live or work



# How will it work?



# Defining the Neighbourhood



## Neighbourhood Forum or Parish Council

Where no Parish or Town Council exists a group can apply to become a Neighbourhood Forum

Forum must contain a cross section of the population to ensure fair process

Application to Local Planning Authority (LPA) with name, written constitution, area of neighbourhood, contact details written statement that forum is capable of being so



## Publicising the Forum

LPA will publish name, contact details of forum, date it was received

A statement that gives other interested bodies who may wish to make a forum in that neighbourhood 28 days to submit an application to do so from publication of the first application

A decision will be publicised with the name of the forum name of area and contact details of forum



## Neighbourhood Area

A plan or statement identifying The land in question with a statement of why this area is appropriate to be designated

LPA will publicise the name of the proposed area, details of how to respond and make representations within a 6 week timescale



# Preparing your Neighbourhood Plan



## Plan Making

A plan **must be** in line with a LPA's strategic policy objectives

Establishing a strong working communication with your LPA will be essential from the start

There is little national guidance on how to do a neighbourhood plan

Planning Aid can offer independent plan making support and guidance



## Publicising your Plan

Once a group has reached a draft version of its plan it must be publicised to people who live work or carry out business in the area

Details of how to respond within a 6 week time period must be Included

Consult statutory bodies

Submit a draft to the LPA



## Information to go with your Draft

A Plan or statement showing the area

A Consultation statement detailing who was consulted, how they were consulted, summarises the main issues and concerns raised by consultees and describes how these issues have been addressed

The title of the proposed Plan



# Independent Check



## Independent Examiner

Once a plan has been prepared an independent examiner will check it meets the right basic standards.



## After the check

If the plan does not meet the right standards the examiner will recommend changes.

LPA will need to look at examiners views and decide whether to make those changes



## Significant changes needed?

If the examiner recommends big changes then the Forum or Parish or Town council may need to go back out to consult again on these changes with the local community



# Community Referendum



## Referendum

The Local Council will organise a referendum on any plan or order that meets the right standards

This gives the wider community a chance to say if the plan should come into force or not



## Other Neighbourhoods Voting

In special cases where implications from some plans may affect other neighbourhoods people from those other neighbourhoods may be allowed to vote too



## The 50% rule

If more than 50% of people vote in favour of the plan the plan must be brought into force



# Legal Force



## A Real Planning Document

Once a Neighbourhood Plan is in force it will carry real legal weight. Decision makers will be obliged, by law to take what it says into account when they consider proposals for development in the neighbourhood



## Faster Development

A Neighbourhood Plan would be able to make it much easier for development to go ahead where people have made it clear that they want development of a particular type

The neighbourhood plan would not be a legal tool to stop development but a tool to shape development



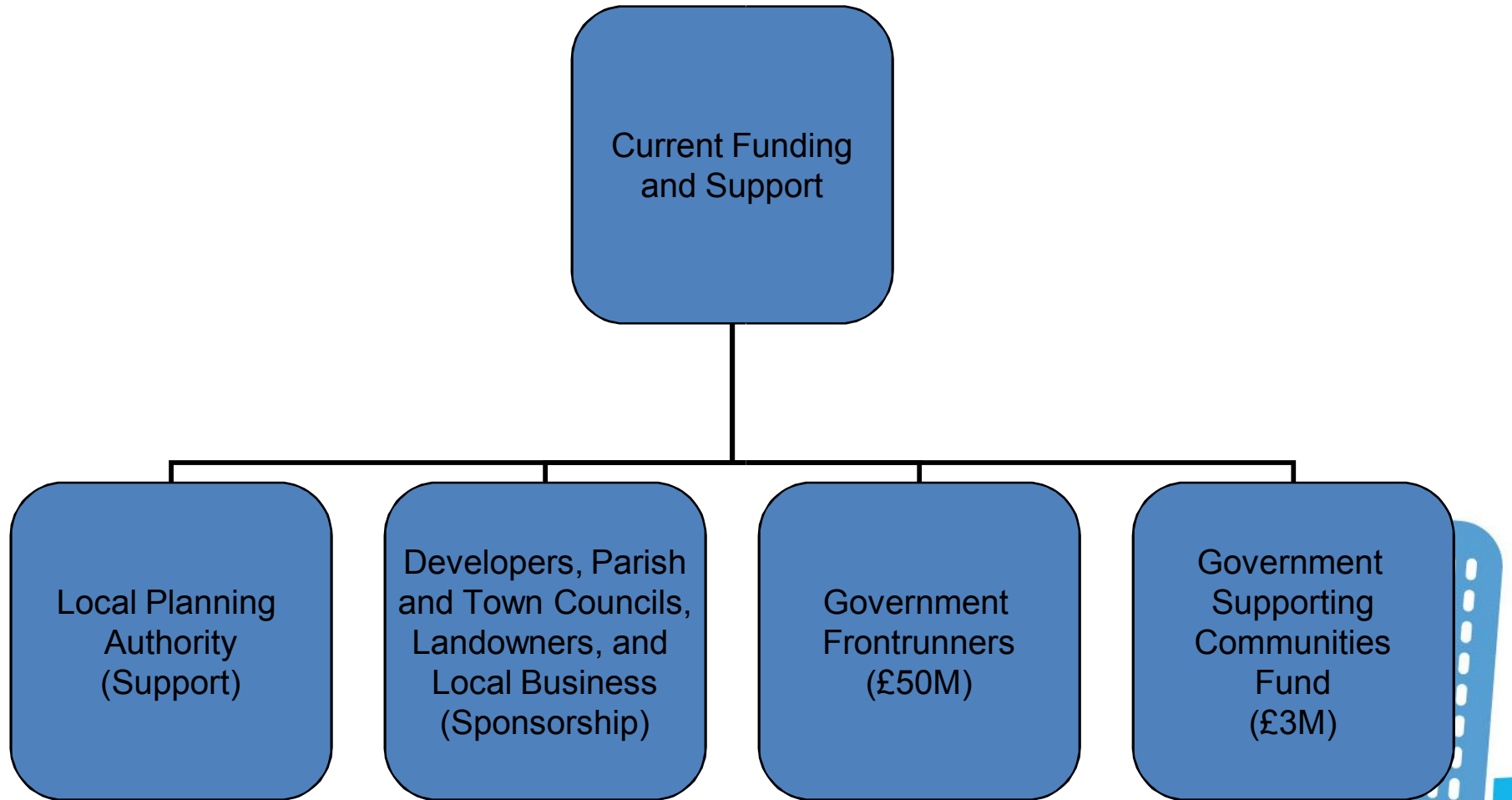
## Toward Neighbourhood Plans

Because Neighbourhood Plans do not carry any legal weight until the Localism Bill is approved, local authorities and communities that are testing out the ideas around a neighbourhood plan are using the principles to produce a Development Plan Document or a Local Development Order.

Some of these frontrunner projects will morph into an official Neighbourhood Plan when they become part of the new powers in the Localism Bill



# Funding and Support



# Neighbourhood Plans

- There is a great deal of existing experience and best practice
- Planning at a community / neighbourhood level is not new territory
- We can learn from existing parish and community plans and village design statements etc
- New importance and legitimacy in decision making



# Supporting Communities in Neighbourhood Planning



Campaign to Protect  
Rural England

