

Neighbourhood Planning

1.0 Purpose

1.1 The Society gives high importance to local plan making, and believes it absolutely necessary that planning reform:

- builds on the good practice already out there;
- avoids creating unnecessary additional cost, duplication or wasted effort; and
- includes the full participation of people at the neighbourhood and village level.

1.2 A core element of localism in planning is the preparation of plans for neighbourhoods by the people and businesses that reside there. Such plans would acquire the status of local development documents. This paper outlines how this may be done, highlighting existing good practice, and some of the issues that will need to be addressed in a new regime.

1.3 The paper covers:

- The new planning system
- Defining neighbourhoods
- The role of the local planning authority:
 - the “Community Planning Charter”
 - leadership
 - procuring the plan
 - evidence base & planning constraints
 - accreditation
- Effective participation

1.4 The paper includes an appendix, setting out examples of existing good practice, and additions to the list will continue to be made as they are received.

2.0 A new planning system

2.1 It is expected that the Decentralisation & Localism Bill will pave the way for a modified development plan in the form of a Local Plan for the authority’s area which may include the equivalent of a core strategy, together with other elements: a site allocations document and continuing provision for joint plans and subject plans such as minerals and waste. There would also be Neighbourhood Plans. It is suggested by ministers that local communities would instigate the preparation of neighbourhood plans, and that they would inform the preparation of the Local Plan, which would include overall development strategy, infrastructure needs, cross neighbourhood boundary issues, economic strategy, climate change, and other borough-wide issues.

- 2.2 LDFs would not be scrapped, but would evolve with the new regime. Preparation of the plans would necessitate the council as local planning authority (LPA) and the neighbourhoods working together, with the LPA helping to resolve local differences and issues.
- 2.3 The neighbourhood plan may be in the format most appropriate to the nature of the locality and the planning objectives – formats such as parish plans, planning briefs, master plans, and area action plans, as appropriate.
- 2.4 It will be important to ensure that a strategic framework for wider geographical areas is established. It has been proposed by POS that, with a duty to co-operate, authorities collaborate with neighbours (including both counties and districts within two-tier areas) to prepare a “Local Strategy Statement” (LSS), which will set out the key principles of strategy for the wider area. This framework should include an investment plan for infrastructure, housing and strategic economic development. The LSS would not have statutory status, but:
- a) It would be a material consideration in development control, pending the completion of core strategies under the old system or local plans under the new; and
 - b) its principles would in due course be incorporated into the development plan and would thereby attain statutory status.

3.0 What are neighbourhoods?

- 3.1 “A neighbourhood is a geographically localised community within a larger city, town or suburb. Neighbourhoods are often social communities with considerable face-to-face interaction among members.” Wikipedia
- 3.2 For planning purposes, the neighbourhood includes residents, local employers, landowners, active players in the voluntary sector, and others with a legitimate interest in its future. In rural areas, parish boundaries are likely to be convenient for planning purposes, and indeed some 4000 parish plans have been produced over the last ten years. In urban areas neighbourhoods may be more difficult to define, but council wards, housing estates, residents’ associations, or town centres and other clear land use or physical features may provide suitable boundaries, depending on the purposes of the proposed plan. In any event, an early part of the plan making should be to consult local people and businesses on the choice of boundary – a neighbourhood cannot be meaningful unless it is recognised as such by the community itself.

4.0 The role of the local planning authority

- 4.1 “**Community Planning Charter**” - The creation of neighbourhood plans should be a partnership between the community and the council. The Localism Bill may introduce a “duty of co-operation”, or a more specific mechanism whereby the community may petition the LPA to help them prepare a neighbourhood plan. The Bill may make provision for a “Community Planning Charter”, suggested by the LGA, whereby the LPA must say how it will support community-led plan making and create a Local Plan for its area, including any proposals of its own for

neighbourhood plans. It will describe how the community will be involved in the end-to-end planning process, including the preparation of planning briefs and master plans by the LPA or developers, pre-application consultation, and consultation leading to the determination of a planning application. It will explain how these programmes of work would be funded, and whether a Supplementary Planning Document (SPD) or Development Plan Document (DPD) route was appropriate. It could therefore replace both the Local Development Scheme and the Statement of Community Involvement.

- 4.2 Various scenarios might in practice present themselves in practice:
- More than one group in a neighbourhood might come forward to prepare a plan for the area – the local authority might encourage them to work jointly.
 - The community group itself may well be self-elected, and may not genuinely speak for the community they claim to represent. They may have another, less representative, agenda to pursue, and there is a real possibility that sections of the community could feel at least as excluded from this process as they do from conventional consultations.
- The council will need to show leadership and square these sorts of issues.
- 4.3 It is recommended that each proposed neighbourhood plan in the CPC is backed up by a brief prepared by the LPA, in consultation with neighbourhood community leaders, to agree the broad scope, key issues, strategic planning context, timescales and funding for the work to be carried out.
- 4.4 **Leadership** - Not all communities are sufficiently informed or well organised to come forward with neighbourhood planning proposals of their own. The council must show leadership within the community, and, with corporate support, ward members in particular are in the very best position to show that leadership within their neighbourhoods. At the same time, they will create a bridge between the neighbourhood and the LPA, promoting the local case for a neighbourhood plan within the LPA, and helping local people to understand and make use of the new processes on offer. Sometimes they will also need to temper local expectations with a reality check on the resources available to the council to support a neighbourhood plan, and the consequent likely timescales. Similarly, ward members will need to help neighbourhoods regarding the likelihood of funding proposed community facilities, whether as a direct benefit of a new development, or from other sources.
- 4.5 The potential danger of creating rival representative structures should not be overlooked. One authority reports setting off on an ambitious programme of community engagement, with strong member backing. However, this enthusiasm rapidly evaporated, as the consultation process threw up rival community leaders (some of whom had sought and failed to get elected as councillors) and some of who took up confrontational positions against the Council. Authorities need to start from the option of using established representative structures (wards and parishes) as the building blocks for community engagement, with their elected representatives as a focal point in the process.
- 4.6 Not all councillors and officers would be prepared for leadership roles within the neighbourhood planning arena, and may be daunted by the prospect. A

comprehensive training programme should be devised in order to inform and prepare both councillors and officers for the new era of neighbourhood planning.

- 4.7 **Procuring the plan** – Some neighbourhoods will have the capacity and know-how to access funding and professional support, and will not need to rely entirely on the council to produce their plan. They may be blessed with leaders in the neighbourhood who are experienced in procurement and who can confidently take on consultants to undertake the work. Otherwise, it should be for the LPA to either provide the neighbourhood planning service, or to support the community in the procurement of a consultant. In both cases the LPA should offer joint control of procurement to the community, always bearing in mind that where the council takes on the risks associated with procurement it should have the final decision.
- 4.8 In the Ponders End case study, the consultants were procured and employed by the Council, but ward councillors and representatives of the community were present at interviews and shared in the discussion that led to an appointment by the Council.
- 4.9 By partnering with the council in procurement the risks and costs to the community are reduced – the council has know how, and may reduce costs by bringing other work into scope, and by using tried and tested panels and procedures.
- 4.10 **Evidence base and planning constraints** – Contrary to some interpretations of government policy, localism does not spell the end of a need for policy to be backed by solid evidence. In particular, the Green Paper anticipates a specific requirement for housing numbers to be underpinned by a rigorous analysis of housing need, and it remains open for any plan not supported by evidence to be found unsound.
- 4.11 In order to minimise costs, the council should be able to provide a substantial ready-made evidence base for plan making, assuming its own work for the Local Plan is up to date. Evidence from within the neighbourhood should be gathered following the clarification of key issues during the engagement process. No more evidence should be collated than is necessary to address those issues – this is one way to reduce the time taken to prepare a neighbourhood plan, and to minimise costs. All service providers need to be fully engaged with the process, and there will hopefully be a “duty to co-operate” imposed upon them. It is likely that employment and business development will be key issues in many communities, and local business organisations, and possibly the Local Enterprise Partnership, should also be engaged in identifying key issues and building the evidence base. In two tier areas, county councils are well placed to provide evidence on the economic, social and environmental state of their areas, on minerals and waste planning matters, and information on their own service requirements.
- 4.12 In addition to the evidence base specific to the circumstances of a particular community, there is also a need for a more general resource to assist the lay person in navigating their way through the complexities of the planning system. This would provide a plain English guide to the system – how its processes work and what its various policy instruments are about (for example, in relation to Green Belt, it might explain what Green Belt is for (and what it is not for), how its boundaries get changed and what types of development might or might not be

acceptable within it). This internet-based document would provide hot links to relevant sources of Government policy or other relevant information. This is a resource that could be developed for the use of all planning authorities and their constituents.

- 4.13 The careful identification and management of planning constraints is a risk to any planning exercise, and it is important that the LPA is satisfied that they are properly addressed, the more so if an outcome is that the neighbourhood plan carries the weight of a development plan document.
- 4.14 **Accreditation** – The neighbourhood plan will be a development plan, and carry considerable weight in the later consideration of planning applications, and in infrastructure planning. It is therefore important that the LPA is empowered to give final accreditation to a neighbourhood plan. In doing so, they will consider the quality of the evidence base, the quality of the consultation, and the viability of proposals. This will not only ensure that there is properly joined up planning in the council's area, but also that the plan has been prepared in a way that is resistant to challenge, either by aggrieved landowners and developers, or by aggrieved residents and businesses – including challenge under the Human Rights Act. In other words, the Council helps to de-risk the process for the local community.
- 4.15 Some neighbourhood plans will cover areas of growth and change, and would necessitate an examination in public in order to obtain full DPD status.
- 4.16 The Government believes that, with strong leadership, communities will be able to build consensus throughout the process of preparing a neighbourhood plan, encouraged by the various incentives that might be available to “compensate” for any detriment to residents and businesses in parts of the neighbourhood that may be affected by development proposals. The proposed “Community Right to Build”, which might conceivably predicate some proposals in a neighbourhood plan, has provision for a local referendum on the proposed development, with approval of the development hanging on a simple 80% majority in favour – which will obviate the need for a separate planning permission.
- 4.17 This is not the way that planning consultation works at present – whether in connection with advance planning or a planning application, the responses to consultation are considered, and weighted in decision making, according to the degree of impact that would be experienced by the individual consultees – for example, the responses of residents and businesses closest to a development site will be given particularly careful consideration.
- 4.18 A referendum is a blunt instrument in the context of neighbourhood planning, open to abuse, and is not recommended to establish final approval, although it could be employed as a test of the general direction of the plan at some point during the process of plan making. Final approval should hang on a more sensitive appraisal of impacts.

5.0 Effective participation

- 5.1 In the new era of localism in planning participation needs to progress to the right in the spectrum of participation (Fig 1). If a neighbourhood planning exercise is

instigated by the community, it can be expected that a significant proportion of stakeholders are already engaged, but there will be many who are not, and whose interests and opinions need to be taken into account.

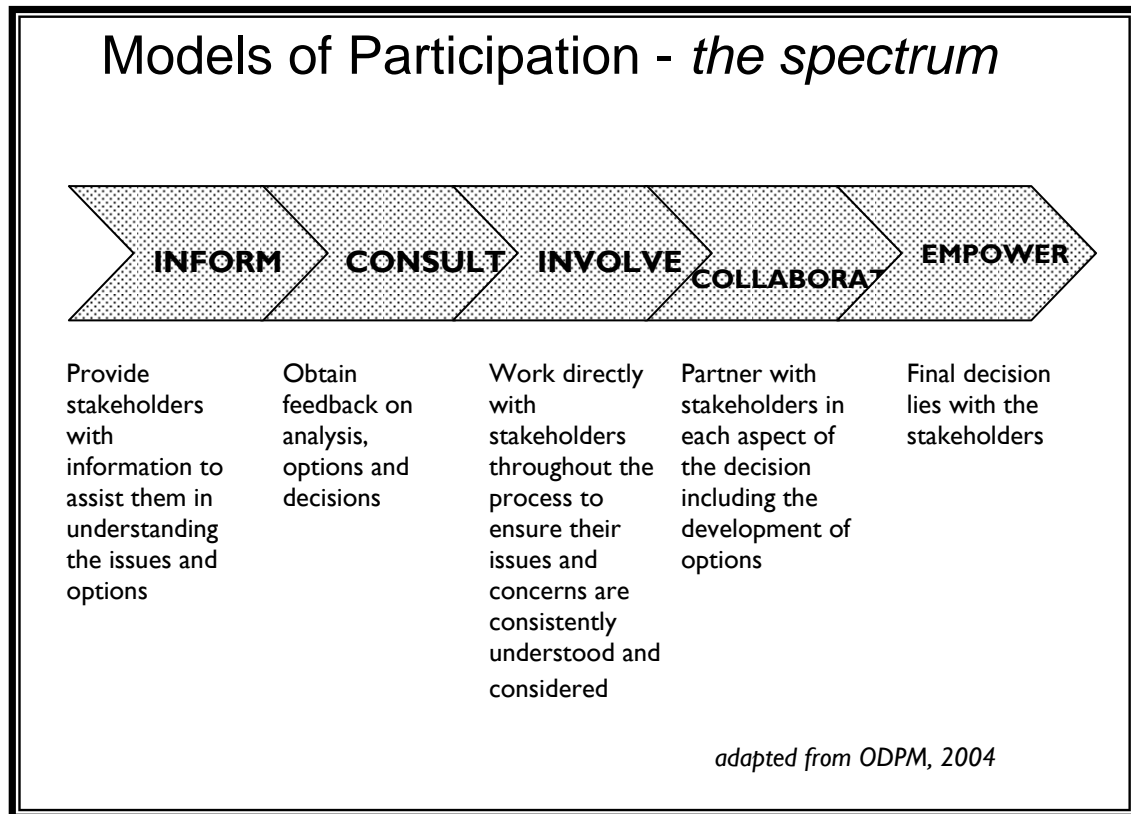


Fig 1

- 5.2 In the Ponders End case study, an early action by the council was to convene an “Engagement Steering Group”, comprising ward members and leads from of a variety of local organisations, such as the Community Development Trust and faith groups, and they acted as a sounding board for the proposed engagement strategy. The benefits were twofold: firstly, the Group made suggestions as to how engage with some of the minorities in this very ethnically diverse and hard pressed community.; and secondly, the Group comprised leading lights and influencers in the neighbourhood, and they automatically took some ownership of the engagement process, and were likely to be less critical later.
- 5.3 Long experience has shown that the public’s greatest interest is in specific proposals affecting their immediate surroundings. Attempts to secure their engagement with the strategic aspects of planning (population, household or employment forecasting, for example) have proved far less successful.
- 5.4 Traditional means of consultation (meetings, exhibitions, leaflets) tend to attract a skewed response, with a disproportionate response from older, often more affluent, groups. They are more likely to be securely employed or retired, comfortably housed and generally less supportive of change. The most likely beneficiaries of longer-term development proposals – in particular younger people – tend not to

respond to the means of consultation traditionally used. Ways need to be found to engage with them through the communications channels that they do use (such as social networking sites). Awareness of the need for this is starting to spread, and commercial trainers are starting to offer courses in the use of Facebook. However, electronic consultations may present new opportunities for the process to be hijacked by interests that do not necessarily represent the local community's views.

- 5.5 Engagement needs to begin by finding ways of tuning into the day to day experience of people living and working in the neighbourhood. The case studies include techniques such as "walk and talk" whereby groups such as the local youth club or a women's support group will inform facilitators about the way they use and perceive public realm, parks and community facilities; how they traverse the neighbourhood; and problems encountered. The value of the engagement process is much enhanced in their eyes if problems encountered such as litter and poor maintenance can be addressed by the council as early wins whilst plan making continues – this should be budgeted for.
- 5.6 Case studies show that regular attention to these small actions, plus regular feedback to the community via newsletters and websites is appreciated. Users of social networking sites are used to a relatively quick turnaround of communications. It strengthens engagement, and begins to change existing, often cynical, views about the motives of the council and the extent to which it can be trusted. Engagement carried out by a consultant, or an organisation such as Planning Aid, being one step removed from the council, may get off to a smoother start.
- 5.7 Creating a special place for engagement activity carries a good message about commitment to the process – shop premises on a high street are ideal. In Ponders End a Portacabin, named the "Pondercabin" was placed in the youth club car park and became a very well used centre for discussion about the plan. It included a large scale model of the entire ward, which assisted many people to articulate their views.

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Appendix: Examples of good practice in community engagement

- 1 Planning authorities up and down the country have for many years been developing good practice in community engagement. The examples below embrace many of the principles of Open Source planning.

A1 Bournemouth: Planning Consultative Forum meetings

- 2 These are held to allow those affected by a major development to hear details of the site's proposed uses and to see designs, before the scheme is formally submitted as a planning application. Invitees include Planning Board councillors, ward members, residents, local businesses and other interests. The aims are (a) to allow local views to be aired at an early stage in the scheme's development and (b) to minimise delay and uncertainty in the formal planning application process. The arrangements apply to residential schemes of 50+ dwellings or over 1 hectare, and non-residential schemes of 3,000+ metres or 1.5 hectares.

A2 Leeds: Neighbourhood design statements

- 3 Public documents that give a detailed guide to the character of the neighbourhood, with recommendations on how to encourage new development that enhances and complements what already exists. The community are fully involved in their production and they are adopted as a formal planning document (SPG) to ensure real influence over development. They apply the Countryside Agency's 1996 concept of village design statements to an urban context.

A3 Portsmouth: Community engagement on SPDs

- 4 In preparing an SPD for The Hard area in Portsmouth, the City Council planners carried out a variety of community engagement techniques to involve both residents and users of the many forms of transport operating in the area. Before drafting the document, commuter surveys were undertaken together with a short picture and plan based leaflet asking local residents and businesses for views on some initial ideas. This involved planners greeting commuters off of the Isle of Wight ferry at 6am. The local Youth Parliament were also asked for their ideas.
- 5 Feedback enabled a draft document to be produced based on what people wanted to see happen around the key issues. Whilst this draft was being produced, artistic interventions carried out by the university took place that included life-size historical figures attached to a weather shelter, wooden silhouettes placed on top of the bus interchange, a memory web allowing local people to leave their thoughts and memories about the area together with a texture tunnel at the main entrance to Gunwharf Quays. These events ensured interest was maintained in the area before the main public consultation on the draft document took place.
- 6 The overall result has been an excellent level of involvement and comment from a wide variety of different user groups, which has been reflected in the final version of the SPD including many thoughts and suggestions made throughout the process.

A4 Mid-Sussex: Urban expansion

- 7 Over the last 4 years Mid Sussex District Council has been working closely with the community of Burgess Hill to develop proposals for a large urban expansion (approx 4,000 homes). These efforts have been coordinated through a 'Three Tiers Group', comprising the elected representatives of the Town, District and County Councils for Burgess Hill. This group has been working with the developers concerned to ensure that the town's aspirations for improved infrastructure are understood, such as the wish to establish a 'green circle' around the town, which combines open space and wildlife corridors with cycle and footways.
- 8 They have recently taken this a step further by supporting the Town Council in producing a 'Townwide Masterplan' that will set out the community's vision for the future and how the development will be expected to contribute to this. The approach is unusual in that they have encouraged the Town Council to lead the work, and the local planning authority Mid Sussex District Council is just providing expertise and advice in the process. They believe that this will result in a development that genuinely meets community aspirations, and that does not suffer from the organised local resistance, so characteristic of other attempts to progress major developments in the area.

A5 New Forest: Damerham Village Plan

- 9 Following a public meeting in May 2006 a group of keen volunteers formed a steering group to produce a parish plan for Damerham. One of the first actions they took was to set up a communication system to ensure that everyone in the village knew about the plan and how to get involved. This paid off as the steering group had a 93% return on the consultation questionnaires. They also worked closely with staff at the local Primary School to involve the children and get their views on how the village could be better for young people.
- 10 The Damerham Plan was launched in 2007. It is an attractive and professional document that provides a good picture of the parish and shows clearly the community's priorities in its action plan.
- 11 One area of concern for residents was the lack of children's play facilities. Questionnaire responses showed that '65.1% of households with children or visiting children would like a playground in the village'. A small working group called Funquest was set up to work with New Forest District Council to identify a site, types of play equipment and funding.
- 12 NFDC supported Funquest to make a grant application to the Hampshire Play Builder fund with the parish plan being provided as the evidence of need. An award of £50k was made to set up a Play Trail on the West Park Meadow site.
- 13 Six months later the Play Trail is complete and being actively used by all the local children. It is an innovative design that includes modern wooden structures to promote imaginative and physical play. It also boasts an apple orchard to help encourage the children to eat fruit when playing in the autumn.

- 14 Further information on the Damerham Plan can be found on <http://www.damerham-pc.gov.uk/index.cfm?articleid=5876>

A6 New Milton: Local Distinctiveness Consultation

- 15 New Forest District Council is creating a series of planning documents looking at the character and distinctiveness of the towns and main villages across the District; the first of these focused on New Milton.
- 16 It was decided that the community would be involved in the process right from the start and that residents' views on New Milton would help shape the content of the document. The local community centre was booked for the consultation event which was held at 4.30 pm to maximise the number of people who could attend. Invites went out to the town council, residents groups, businesses, Police, Health, community groups, youth organisations, faith and disability groups. It was recognised that all of these groups would have a view on the character of their town and what features they would like to see preserved or improved for the future.
- 17 Large maps and aerial photographs of the built areas of the parish were provided and participants were encouraged to describe the housing, density, open spaces and character of each area. This information has been used by planners to create the draft New Milton Local Distinctiveness Supplementary Planning Document which will go back to the community for feedback before the final document is approved and printed.

A7 Tandrige: Community Planning event

- 18 Held at Caterham Barracks, and organised on behalf of prospective developers (Linden Homes) by John Thompson & Partners as long ago as 1996. This was one the very first exercises in seeking to engage the local community in the design, development and decision-making processes. In many ways it set the standard for subsequent efforts, and the engagement aspect won an RTPI prize.

A8 Ponders End Framework for Change

- 19 Ponders End in the London Borough of Enfield is the Borough's third most deprived ward. It has a population of 14,000, is ethnically diverse, and includes a high rise public housing estate, a high street shopping centre, and several industrial estates. It lies next to the Lee Valley Regional Park.
- 20 The Council contracted with Studio Egret West to produce the Framework – a master plan for the ward intended to ensure three large development sites would meet community needs. It would also consider health, accessibility, including access to the Lee Valley Park, the quality of public realm and the local park, and encourage business and employment growth.
- 21 The Framework was built upon full engagement with all sections of the community, and was a category winner in the London Planning Awards 2010.

http://www.enfield.gov.uk/info/200055/place_shaping_and_regeneration_proposals/1071/ponders_end