

FREQUENTLY ASKED QUESTIONS

QUESTIONS AND ANSWERS RELATING TO NEIGHBOURHOOD PLANS IN NORTH LINCOLNSHIRE

The following has been prepared by council officers and it is the council's interpretation of the legislation contained within the Localism Act 2011.

WHAT ARE NEIGHBOURHOOD PLANS?

A neighbourhood plan is a new type of plan, which will focus on a local area rather than the borough as a whole. Producing neighbourhood plans is optional and while the council will provide technical advice and support, the neighbourhood plans will need to be produced by communities, and the plan making process must be led by either a town/parish council or designated Neighbourhood Forum.

Neighbourhood plans can establish a vision for an area, include general planning policies for the development and use of land in a neighbourhood and they can allocate sites for development. They should be about local rather than strategic issues. If adopted, they will form part of the overall development plan for the borough and will be used to assist in the determination of all planning applications in that area.

CAN A NEIGHBOURHOOD PLAN STOP DEVELOPMENT FROM HAPPENING IN THE AREA?

No – a neighbourhood plan can guide development to be more appropriate to local context and help decide where it goes within the area. A neighbourhood plan cannot stop development and government has made it clear that it is not a tool for residents to oppose proposals for new developments close to them. A neighbourhood plan can only include proposals for an equal (or greater) amount of growth than is set out in the council's development plan, regional and national guidance.

WHAT HAS THE COUNCIL DONE TO DATE AND WHAT OTHER PLANS OR GUIDANCE DOCUMENTS ARE ALREADY IN PLACE?

This council has always given local communities the chance to influence the contents of our local planning documents such as the Core Strategy. Some of the concerns raised during consultation events about development are often in relation to strategic concerns, such as school places, GPs, transport and congestion etc. Strategic issues cannot be addressed in a neighbourhood plan. This council is continuing to produce its local planning policy documents in the Local Development Framework and we will continue to encourage people to get involved in the production of local planning documents.

The development plan for North Lincolnshire includes:

- The Yorkshire & Humber Plan – Regional Spatial Strategy to 2026 is the overall strategic plan for the Yorkshire & Humber region, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the region to 2026. It should be noted that this plan will be revoked under the provisions of the Localism Act 2011, during 2012.
- The Core Strategy DPD - is the main document in the Local Development Framework. It sets out the planning vision and framework for growth and development in North Lincolnshire up until 2026.
- All the policies within the saved North Lincolnshire Local Plan (adopted in 2003) alongside any relevant supplementary planning documents and development briefs.

We encourage community groups, prior to embarking on a formal neighbourhood planning process, to consider carefully the context and what plans and programmes already exist, and what more a neighbourhood development plan could achieve for their area.

WHAT AREAS CAN BE COVERED BY A NEIGHBOURHOOD PLAN?

In general terms, any area can have a neighbourhood plan. They can cross local authority boundaries but they cannot overlap with adjoining neighbourhoods, who also wish to prepare a plan for their area. The boundaries of the area will need to be agreed with and approved by the council. In rural areas, it is expected that neighbourhood plans will relate to town or parish council areas. In some case, plans could cover more than one town/parish area if there is agreement.

For urban areas or areas without town or parish councils, neighbourhood areas will vary. For example, a neighbourhood area could cover a town centre or business park or a few streets or possibly an electoral ward.

CAN THERE BE MORE THAN ONE NEIGHBOURHOOD PLAN FOR AN AREA?

No. There can only be one neighbourhood plan for an area.

WHO CAN PREPARE A NEIGHBOURHOOD PLAN?

This will depend on the location area the neighbourhood plan will cover. In rural areas, there is an expectation that either a town or parish council will act as the lead body for a neighbourhood plan. As mentioned previously one or more town/parish council can work together to prepare a neighbourhood plan. In this case, it would suggest some form of joint steering group be established.

In urban areas or those areas without a town or parish council, neighbourhood plans can only be prepared where a "Neighbourhood Forum" is formally established. A community group or organisation wanting to achieve "Neighbourhood Forum" status can approach the council and ask for this; formal designation and approval of the Neighbourhood Forum by the council will be required. A Neighbourhood Forum needs to be made up of a minimum of 21 members, who either live, work or are a Councillor in the area concerned. The Forum will also need to have a written constitution. The neighbourhood plan needs to be supported by the whole community before it can be adopted.

HOW LONG WILL IT TAKE TO PREPARE A NEIGHBOURHOOD PLAN?

It will be up to individual areas to decide on the pace at which they wish to progress their plans. However, it is anticipated that on average the process is likely to take around two years.

WHAT CONDITIONS MUST A NEIGHBOURHOOD PLAN FULFIL?

Neighbourhood planning does not mean that communities can plan how and what they like. There are still parameters set by national, regional and local planning policies and neighbourhood plans will have to meet a number of conditions:

- They must have regard to national planning policy;
- They must be in general conformity with the strategic policies contained within the local development plan; and
- They must be compatible with EU obligations and human rights requirements.

HOW MUCH WORK WILL BE REQUIRED TO PRODUCE A NEIGHBOURHOOD PLAN?

This will largely depend on how much detail the plan goes into. Neighbourhood Forums would also need to use appropriate, proportionate and up-to-date evidence to support the policies in a proposed neighbourhood development plan. In addition, there are minimum statutory requirements (e.g. Sustainability Appraisal) that will need to be completed.

WHAT EVIDENCE HAS THE COUNCIL ALREADY PRODUCED?

The council's planning policy documents have been informed by robust and up-to-date studies and research into a number of planning topics (e.g. employment, flood risk etc), which also provide advice and information. Such research is kept up to date.

WHAT WEIGHT WILL BE GIVEN TO NEIGHBOURHOOD PLANS IN PLANNING DECISIONS?

When adopted, neighbourhood plans will be statutory planning documents. They will form part of the local development plan, which is made up of the Regional Spatial Strategy (for the time being) and our local planning policy documents (see question 3). Neighbourhood plans, once adopted, will have significant weight in making decisions on planning applications.

WHAT IS THE COUNCIL'S ROLE IN THE NEIGHBOURHOOD PLANNING PROCESS?

The Council has a duty to provide technical advice and practical support to those producing a neighbourhood plan however, in view of current resource constraints any support would of necessity be very limited. It also has to:

- Agree the composition of, and formally designate, neighbourhood forums;
- Agree the boundary of the area to be covered by a neighbourhood plan;
- Organise the check by an independent examiner into a neighbourhood plan before it can be voted on in a local referendum;
- Organise the referendums; the plan will need to get majority support;
- Adopt the neighbourhood plan and bring it into force.

This is a new process that has not been tried before and it will therefore be a learning process for all of those involved, including the Council and its officers.

WHO WILL PAY FOR THE NEIGHBOURHOOD PLANNING PROCESS?

It will be up to the town/parish council or Neighbourhood Forum to pay for the preparation of a neighbourhood plan. The Council will only pay for the independent examination and the referendum, as well as provide technical advice and practical support.

HOW LONG DOES A NEIGHBOURHOOD PLAN LAST?

A neighbourhood plan will normally last for five years at which point it should be reviewed. It will also be possible to review the plan within the five year period if necessary.

WHO SHOULD I CONTACT IF I WANT TO FIND OUT MORE?

Contact Spatial Planning by emailing spatial.planning@northlincs.gov.uk or telephoning 01724 297573/297577.

WHERE CAN I FIND FURTHER INFORMATION?

You can find out more about neighbourhood plans and the Localism Act from these sources:

- The Localism Act – Powers for neighbourhood planning have been established in the Localism Act 2011; it is anticipated that these provisions will commence in spring 2012
- A plain English guide to the Localism Act – on the Department for Communities and Local Government (DCLG) website
- A guide to neighbourhood planning – the basics of neighbourhood planning, on the Planning Advisory Service website
- Neighbourhood Planning FAQs – Planning Advisory Service website
- Your Place, Your Plan – a leaflet from the TCPA for community organisations, business and individuals looking to get involved in neighbourhood planning;
- Planning Portal website – a short summary of neighbourhood planning.