

SOUTH DOWNS
NATIONAL PARK

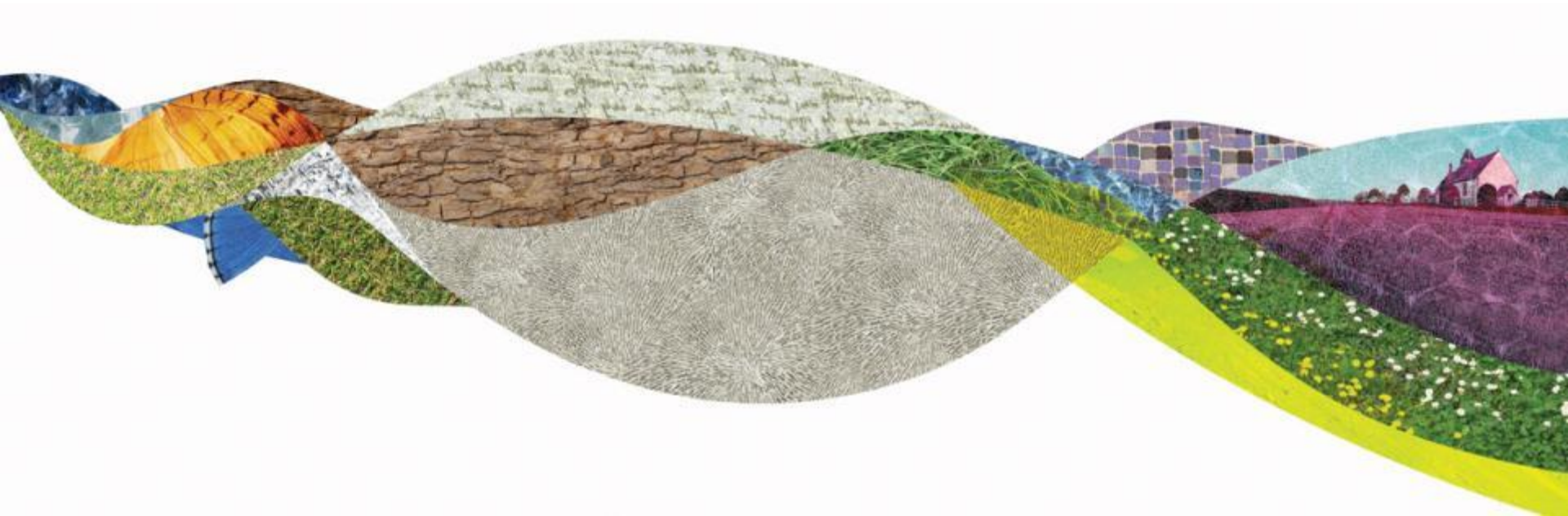
Neighbourhood Planning

An Introduction

South Downs National Park Consultancy Service

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What were going to cover.....

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- Who are we
- Localism – empowering local people
- Neighbourhood Plans
- Producing an NDP – the 7 steps
- Hints and tips
- Support and advice
- Some Success



Who are we.....

- South Downs National Park Authority
- A commercial arm
- Not for profit
- Money raised invested in conserving and enhancing our special qualities
- Staff resources deployed to support communities outside the Park

Bethersden (Kent)

Hook (Hampshire)

Egerton (Kent)

Kings Somborne (Wiltshire)

Thrupton (Hampshire)

Rudgwick (Horsham)

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What do we do.....

- Training / advice
- Assessing Local Green Spaces
- Policy formation
- Write the neighbourhood plan (!)
- Site selection support
- Community engagement
- Forming objectives
- Support for Local Planning Authorities



Localism.....

- Government launch Localism Act 2011
- New rights and powers for communities
- **Community Right to Challenge** (express interest in running a public service) (parishes, community groups, employees)
- **Community Right to bid** (assets of community value)
- **Community Right to Build** (proposals for development, without further planning permission) (examination, referendum)
- **Neighbourhood Planning**



Localism Act 2011

CHAPTER 20

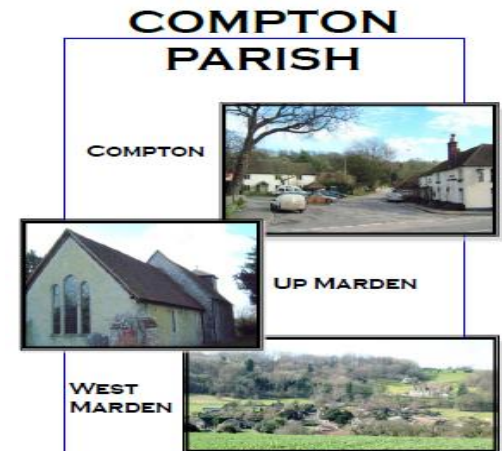


Before Localism....

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Community Led Planning

- A tried and tested method allowing communities to analyse, debate and tackle local issues
- Local input to decision making
- Gives the Local Authority local intelligence
- Different tools for different jobs
- **Different tools have different influence over planning matters**



Neighbourhood Planning....

- Neighbourhood DEVELOPMENT plan
- Statutory power in the planning system (other plans have limited weight)
- **Statutory stages to produce a NDP (designation, pre submission, submission, examination, referendum)**
- Conform with National Policy (National Planning Policy Framework & Guidance)
- Conform with the parent planning doc. (Dover District Local Development Framework)
- Gives you the highest level of control (within the planning framework)
- You plan for your community locally (challenging vs empowering)
- Local Plan + referendum
- LAND USE ONLY



Neighbourhood Development Plan

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Why

- Localism Act
- Greater opportunity for communities to shape places.
- Sharing and solving of local issues.
- It is **discretionary**: there are alternatives, including leaving **Local Plan** and national policy to address issues.

A photograph of a handwritten sign in blue ink on a light-colored background. The text reads: "it's all about a STRONGER VOICE for communities!". The word "STRONGER" is written in all caps and is larger than the other words. There is a small circular mark to the left of the word "VOICE".



Neighbourhood Development Plan

Who

- Qualifying Body (organisation with power to prepare the NDP)
- Where a Town or Parish Council exists only the Town or Parish Council can be the QB
- No Town or Parish Council = Neighbourhood Forum

- Forums

At least 21 people

Open to all who live, work and carry out business in your neighbourhood area

Governed by written constitution

Don't need representatives from each category but must be able to demonstrate you have engaged with each category



Neighbourhood Development Plan

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Who

England

- 2571 Designated
- 736 adopted

Dover District

- 6 Designated
- 1 adopted



What can NDPs do.....

- ✓ Draw up detailed planning policy for their area: type / location / design / topic - based
- ✓ Primary concern is land use and spatial planning
- ✓ Influencing the kind of place an area will become in 15-20 years time.
- ✓ More power & responsibility for Parish Councils
- ✓ More material weight in determining decisions on planning applications than Parish Plans or other SPDs.



What can NDPs do.....

- ✓ Allocate land for development (employment / housing etc.)
- ✓ Protect important green spaces through the Local Green Spaces designation (also in the local plan)
- ✓ Influence design
- ✓ Set out Parish priorities for infrastructure (facilities and services)



What can't NDPs do.....

- X Stop or prevent development. This tool has been launched by Government to enable and encourage development
- X Retrospectively affect existing permissions or appeals
- X Identify alternative sites without adequate evidence or information
- X Deal with non spatial planning matters (local police presence, lack of public transport)
- X Deviate from strategic 'parent' policy documents (Dover LDF)



The process.....

- **Designate** the Neighbourhood Area: You decide / LPA agree
- **Preparing the NDP** – *scope, resources, gaining support (months – years)*
- **Pre Submission consultation** – your consultation (6 weeks)
- Amend and modify (depending on response weeks to months)
- **Submission** (Legal Compliance & 6 week Consultation)
- **Examination** (depending on issues raised weeks – months)
- Examiners report (possible mods to meet basic conditions)
- **Decision statement** (LPA)
- **Referendum**



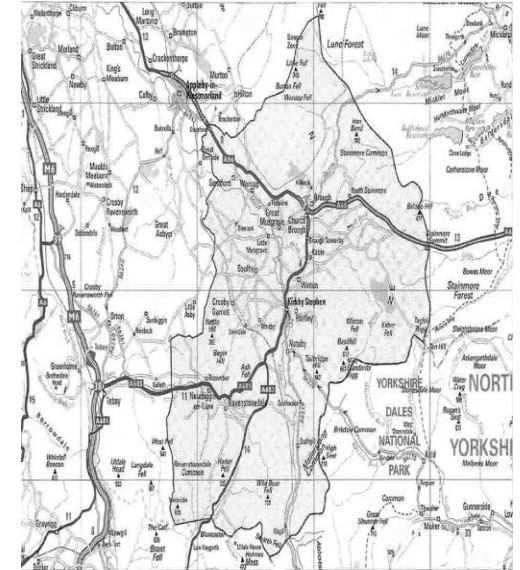
DISCUSSION QUESTIONS

3.30pm Q&A Session in the Conservatory Room
Tea Break and Networking



1. Designating the NDP area.....

- Parish Council & Community to consider what is appropriate for their NDP area
- Consult LPA before making your application (*constructive dialogue about constraints, ambitions, LPA proposals*)
- Submit an OS base map which identifies the area to which the application relates
- Submit a statement explaining why the area is appropriate
- Submit a statement that the organisation making the application is a relevant body



1. Designating the NDP area.....

- Multi-parish designations

*One parish can apply to designate a multi parish area
(must be part of proposed area)*

*Must gain consent from other parishes when NDP
preparation begins*

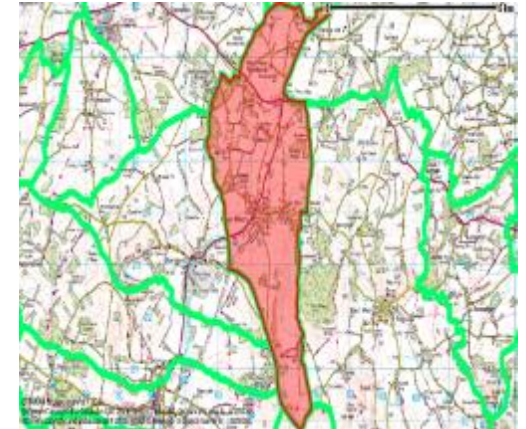
- Consultation

Whole parish request can be agreed immediately

Other than whole parish LPA required to consult

6 week consultation on proposed area

Decision within 13 weeks (unless multi LPAs)



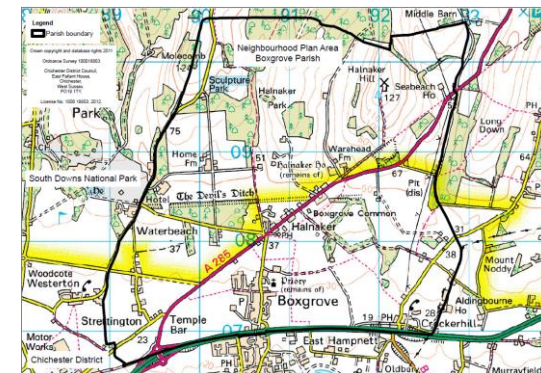
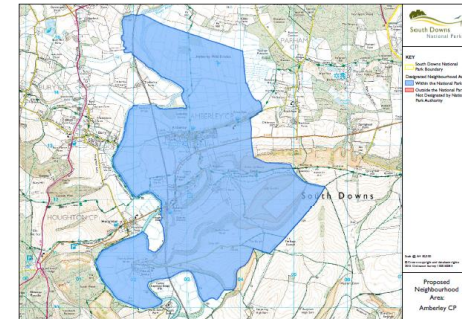
1. Designating the NDP area.....

Hints and Tips

- *Consider village / settlement boundaries*
- *Catchment area for walking to local services such as shops, schools, doctors etc.*
- *Physical features or natural boundaries (rivers, valley, major roads or railways)*
- *Designations or protected areas*
- *Multi parish proposals should involve all parties at the outset*
- *Could be sensible to consult with community first*
- *Upper Eden (17), Ditchling (3)*
- *Public Sector Mapping Agreement*

<https://www.eden.gov.uk/media/4535/upper-eden-neighbourhood-plan-2012-to-2025.pdf>

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2. Preparing your NDP....

- Forming the team
 - Steering group and subgroups
 - Representative of community
 - Terms of reference
 - PC are qualifying body with final say



- Forming objectives
 - What issues / challenges exist locally
 - Research / evidence / review
 - Consult wider community (establish agreed objectives)
 - Establish a Vision (10-15 years)
 - Subgroups form around a series of objectives



- Preparing your policies
 - Policies & Land Allocations / Designation to achieve vision & objectives
 - Don't duplicate local plan
 - Evidence to support policy (older people's housing / age profile)
 - Positively worded (support development that meets criteria not why development wouldn't be accepted)



2. Preparing your NDP....

Vision

...strong community, with an appropriate provision of community facilities and services, attractive green spaces and a thriving natural environment

Objective

...Protect and enhance all green spaces in the parish for the benefit...

Objective

...Manage traffic and encourage walking, cycling and public transport...

Policy

EN1 Protection of green spaces within.....

Development that results in the loss of green spaces or that results in any harm to their character, setting, accessibility or appearance, general quality or to amenity value will only be permitted if the community would gain equivalent benefit from provision of a suitable replacement.

Policy

T1 Sustainable transport.....

Development as appropriate to its scale and location should include proposals which enhance the attractiveness of walking, cycling and use of public transport



2. Preparing your NDP....

Land allocations and designations

- You don't have to allocate land or designate
- *Most plans allocate sites for housing / employment use*
- *A lot of plans designate Local Green Spaces*
- *Evidence to support land allocations (LPA)*
- *Community aspiration for development*
- *Understand constraints (flooding, existing designations)*
- *Assess deliverability (Suitable, Available, Achievable)*
- *Prepare locally distinctive assessment criteria*
 - *Use LPA criteria and adapt*

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3. Pre Submission (regulation 14)

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- Your draft NDP must not contain options, it must present your preferred option (policy and any allocations)
- Pre Submission draft to be agreed by the Qualifying Body
- Early discussion with your Local Planning Authority is advisable (if time / resources permit)
- Publish for 6 week consultation (advertise locally to draw attention to local residents etc)
- Provide standard method for response (template)
- Use online consultation software (LPA)



HAVE YOUR SAY!



3. Pre Submission (regulation 14)

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- Hold public drop in sessions to provide advice & guidance to those who may respond
- Write to all landowners who are affected by your NDP
- For the designation of Local Green Spaces, housing or employment land we would strongly recommend engagement prior to pre sub
- Consult for a minimum of 6 weeks (more if public holidays)
- Consider follow up notification before consultation end
- This is the best opportunity for people to influence your NDP (after this it's the Examiner or LPA)

HAVE YOUR SAY!



Major developments

Neighbourhood Plan

Make sure your voice is heard!



3. Pre Submission (regulation 14)

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- Keep a record of who responds (submission and consultation statement)
- Keep a record of each response (submission and consultation statement)
- Prepare a response to each comment, making amendment or justifying no amendment
- Any significant modifications to your plan at this stage could require a further period of pre submission consultation
- **Modify your NDP in response to comments**



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Tea Break and Networking



4. Submission (regulation 15)

- NDP is modified and agreed by the Qualifying Body
- Supporting documents to be submitted alongside NDP

Basic Conditions Statement

Consultation Statement

Strategic Environmental Assessment
Screening

Habitats Regulation Screening

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4. Submission (regulation 15)

- **Basic Conditions Statement**

A statement which describes how your plan conforms to the Basic Conditions, including conformity with National, regional, local policy.

List policies and then describe how they conform with the relevant policy documents

General Conformity with STRATEGIC POLICY

Policies CP1 – CP11 Dover District Core Strategy Policies

- **Consultation Statement**

A statement to describe how you respond to reg 14 comments and modified the NDP

An opportunity to tell the story of how your plan formed, the evolution of objectives which result in policies and allocations

Justify the approach of your NDP

- Have regard to national policies and advice, such as the National Planning Policy Framework
- Contribute to the achievement of sustainable development
- Be in general conformity with the strategic policies in the development plan for the area (Dover LDF and our other development plan documents)
- Be compatible with European obligations and human rights requirements



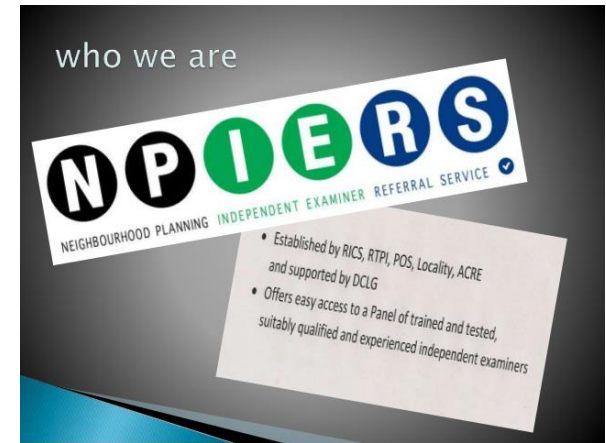
5. Examination (regulation 17)

- The LPA receive your submitted NDP (Reg 16)
- LPA carry out legal compliance check
- The LPA publish the NDP for 6 week consultation and invite further representations
- Useful if you can provide details of respondents to LPA from Pre Sub (GDPR!)
- LPA submit all responses direct to Examiner
- Examiner appointed by LPA in consultation with Qualifying Body (LPA financial burden)



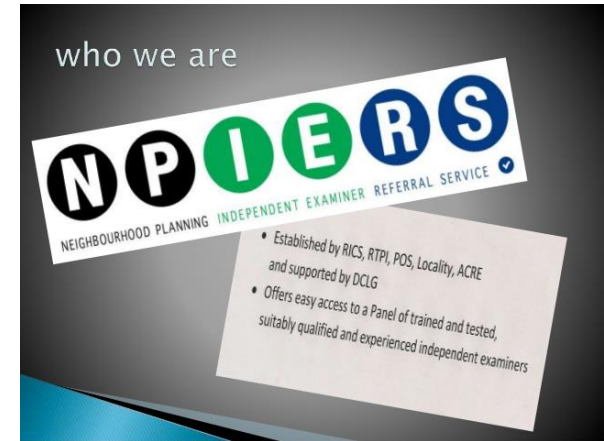
5. Examination Report (reg 18)

- Examiner considers representations
- Examiner may seek clarification from LPA and Qualifying Body during Examination
- Examiner considers only the Basic Conditions
- Examiners report publishes modifications required for the NDP to meet the Basic Conditions
- Examiners can add / remove allocations or policies
- Neighbourhood Planning Independent Examiner Referral Service available



6. Decision Statement (Reg 19)

- LPA consider Examiners report and any proposed modifications
- LPA (in consultation with QB) determine their decision in relation to each modification
- Decision Statement published to set out LPA position
- LPA can decline to agree a modification or propose alternative
- This is subject to further period of consultation
- Significant modifications may also be subject to further public consultation (Petworth & Storrington NDP)



7. Referendum....

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- The final stage in your NDP journey
- All those eligible to vote in local elections are eligible to vote in NDP referendum
- Must live in the NDP designated area
- Local Electoral Authority responsible for running referendum
- If the majority of those who vote in a referendum vote in favour of the NDP then the NDP MUST be made by the LPA



DISCUSSION QUESTIONS

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Hints and tips....

- Make sure your team has community wide representation (geographical & demographics)
- Agree terms of reference and declaration of interest
- Help wider community appreciate limitations and purpose of NDPs
- Agree scope, vision and objectives in advance of policies and allocations
- Use other NDPs to scope your NDP, what policies have others included, review Examiner reports
- Engage in advance of Pre Submission (agree objectives)
- Constructive and open dialogue with LPA throughout, ideally before pre submission - **timing**



Hints and tips....

- Non land use / aspirational policies should not be lost, but can form an appendix to the NDP (community expectations)
- Community Infrastructure levy can deliver community aspirations
- Seek an examiner with the requisite skills for your NDP and your village
- Work closely with LPA on Examination & Decision Statement
- Careful on promotion at referendum (rules and controls on leading the vote)
- Use commentary from Examiner report to encourage voting!!



Support & Advice....

- Funding programme extended 2018-2022 (£23 million)
- Locality manage the funding programme for MHCLG
- Government grant up to £9000 (depending on growth and complexity)
- Additional grant for technical support up to £8000 (technical support SEA / HRA / HNS)
- <https://neighbourhoodplanning.org/apply/>
- Locality also offer toolkits and guidance
<https://neighbourhoodplanning.org/resources/>
- Planning Advisory Service have a lot of technical advice notes
<https://www.local.gov.uk/pas/pas-topics/neighbourhood-plans>

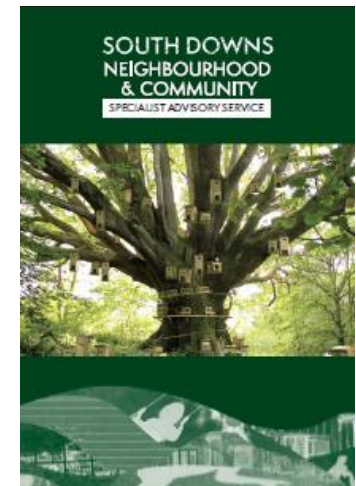
SEA, project planning, robust evidence, housing needs assessments, case studies, policy writing, understanding the basic conditions



Support & Advice....

- Consultants.....
- You can find a lot of the information by reviewing other NDPs
- Don't get someone to write your plan, you know your village, town, community better than anyone
- Support for policy writing
- Support for technical studies
- Health Check???

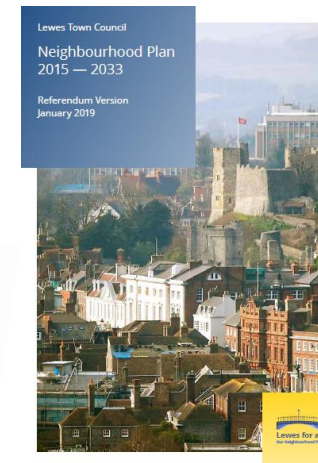
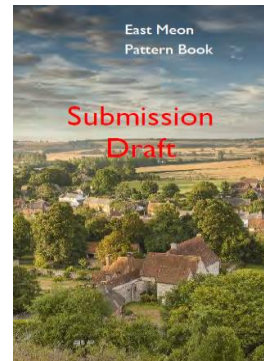
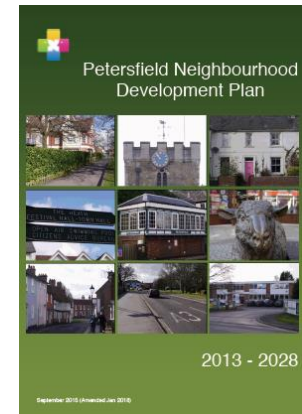
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Success....

- Petersfield Self Build – 2 sites – 112 homes
 - 2 allocated sites
 - 112 self or custom build plots
 - Community Land Trust & Traditional Developer
- East Meon Pattern Book
 - Provides more detail on appropriate design
 - Materials & Design features
 - Building scale / plot size etc
- Lewes Low Cost Housing
 - A proportion of affordable housing to come forward as LLCH
 - Price to be established based on average income locally
 - To be tested!
- Decisions and Appeals

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Questions?



Contact us



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<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-development-plans/>

