

Neighbourhood Planning Guidance Note 1

Which is the right approach for your parish

April 2013 - Revised June 2015



The Localism Act has provided communities with the ability to shape and deliver new development in their areas. Communities can choose any of the new neighbourhood planning tools or existing Community Led Plans and other design statements to achieve their visions. Choosing the right tool for your community's overall objectives will be the key to their success. This guidance note has been developed to assist your parish make that decision.

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Deciding if you need a Neighbourhood Plan?

It is important to consider which approach is right for your parish. This will depend on many factors; the development requirements and pressures within the parish, the Herefordshire Local Plan - Core Strategy policy for your area or whether you have an adopted Parish Plan or one in progress.

There are a number of options available to your parish and some consideration should be given to these before proceeding.

Neighbourhood Development Plans

Neighbourhood Development Plans will set out the vision for an area and the planning policies for the use and development of land. These policies will be at a local level to support the strategic policies within the Herefordshire Local Plan - Core Strategy. Plans should be focused on guiding development rather than stopping it. Neighbourhood Development Plans will give your community an increased ability to influence planning within your area. When adopted your Neighbourhood Development Plan will become a statutory plan carrying equal weight to the Herefordshire Local Plan - Core Strategy and will be used in making decisions on planning applications in your area. In Herefordshire, a Neighbourhood Development Plan can only be produced by parish or town councils.

Parish Plans/Community Led Plans

Parish Plans and Community Led Plans contain a wide range of community issues and aspirations. Many parishes already have some experience in producing Parish Plans and many of these plans provide a basis for taking forward planning related and land-use elements into Neighbourhood Development Plans. There is no requirement for Parish Plans to include planning issues regarding the use and development of land or buildings. There is also no requirement for a parish to produce a Parish Plan prior to producing a Neighbourhood Development Plan. Therefore, if the issues you would like to tackle within your parish are not directly related to the development of land or buildings, planning is not the major issue or if policies in the Herefordshire Local Plan - Core Strategy are sufficient, then a Parish Plan may be for you.

Parish Plans with a planning element

Parish Plans can include planning related issues. These could be the design of buildings and the types of materials used. If your parish considers that it is only design related issues which concern the community then any planning elements of a Parish Plan could be endorsed by Herefordshire Council as material consideration in determining planning applications. Parish Plans will not have the same legal status in planning terms as a Neighbourhood Development Plan.

Village Design Statement

A Village Design Statement contains a description and analysis of the distinctive aspects of a village and outlines design guidance for further development. These can form part of both a Parish Plan and a Neighbourhood Development Plan but can also be a document in their own right. A Village Design Statement can be endorsed by Herefordshire Council as material consideration in determining planning applications.

Rely on Herefordshire Local Plan - Core Strategy policy

Producing Neighbourhood Development Plans or any other of the available planning tools is not compulsory to guide land use and development within your area. The Herefordshire Local Plan - Core Strategy will contain policies to guide development within the county. There are some rural areas of Herefordshire which will face few development issues and pressures and the rural policies contained within the Herefordshire Local Plan - Core Strategy may provide the necessary guidance required. If you are happy with the policy guidance provided within the Herefordshire Local Plan - Core Strategy for your parish then you may decide there is no need to prepare a Neighbourhood Development Plan.

The flowchart in appendix 1 gives some guidance to assist the choice of planning tool.

For Parishes without an evolving Neighbourhood Development Plan or Parishes that do not wish to have a Neighbourhood Plan, a Rural Area Site Allocation Development Plan Document will be prepared by Herefordshire Council to support the rural strategic policies of the Core Strategy.. This document will allocate sites and settlement boundaries, but will not include detailed policies akin to Neighbourhood Plans.

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Getting your community involved in the decision

Producing any of these options will require time and resources from the parish and its community. The more people involved and who feel involved in the decisions made, the more successful the engagement and eventual outcome will be.

It will be important that your community reach a broad consensus regarding the need for a Neighbourhood Development Plan and the vision, objectives, key issues and policy outcomes within the resulting document.

This is especially important when producing a Neighbourhood Development Plan as there will be a community referendum at the end of the process.

The whole community should be aware and involved in the decision to develop a Neighbourhood Development Plan. The plan needs to be a community document; involving the views of the wider community will have a greater chance of gaining support and assist the passage of the plan through the process.

Producing a Neighbourhood Development Plan

If your parish and community decide to proceed in producing a Neighbourhood Development Plan, there are a number of additional guidance notes which will assist in the initial stages. These are 'Getting started' which highlights the important issues for your parish to consider before commencing work, 'What is a Neighbourhood Development Plan?' which indicates the various stages and elements of a plan and 'A guide to procedures' which outlines how to comply to the legal and conformity requirements within the Neighbourhood Planning (General) Regulations 2012 (as amended).

Other neighbourhood planning tools

As well as 'plans' there are also a number of additional measures which you could use to guide development within your area, these are;

Neighbourhood Development Orders

These can grant planning permission for specific developments in a Neighbourhood Area. This could, for example, be for certain types of household applications, shop fronts or 'green energy'. Where there is a Neighbourhood Development Order in place there would be no need to apply to Herefordshire Council for planning permission for the development it covers.

The Neighbourhood Development Order can apply to all of the Neighbourhood Area or a particular site within the neighbourhood.

A set of guidance notes regarding Neighbourhood Development Orders are available on the neighbourhood planning webpages.

Community Right to Build Orders

Similar to Neighbourhood Development Orders, these will enable community groups or parish councils to bring forward small scale development on specific sites without the need for planning permission.

These could be for new small scale development such as new homes, shops or other community facilities.

A community group not just the parish council is able to develop a 'Community Right to Build' Order. However, over half the members of the community group must live within the Neighbourhood Area.

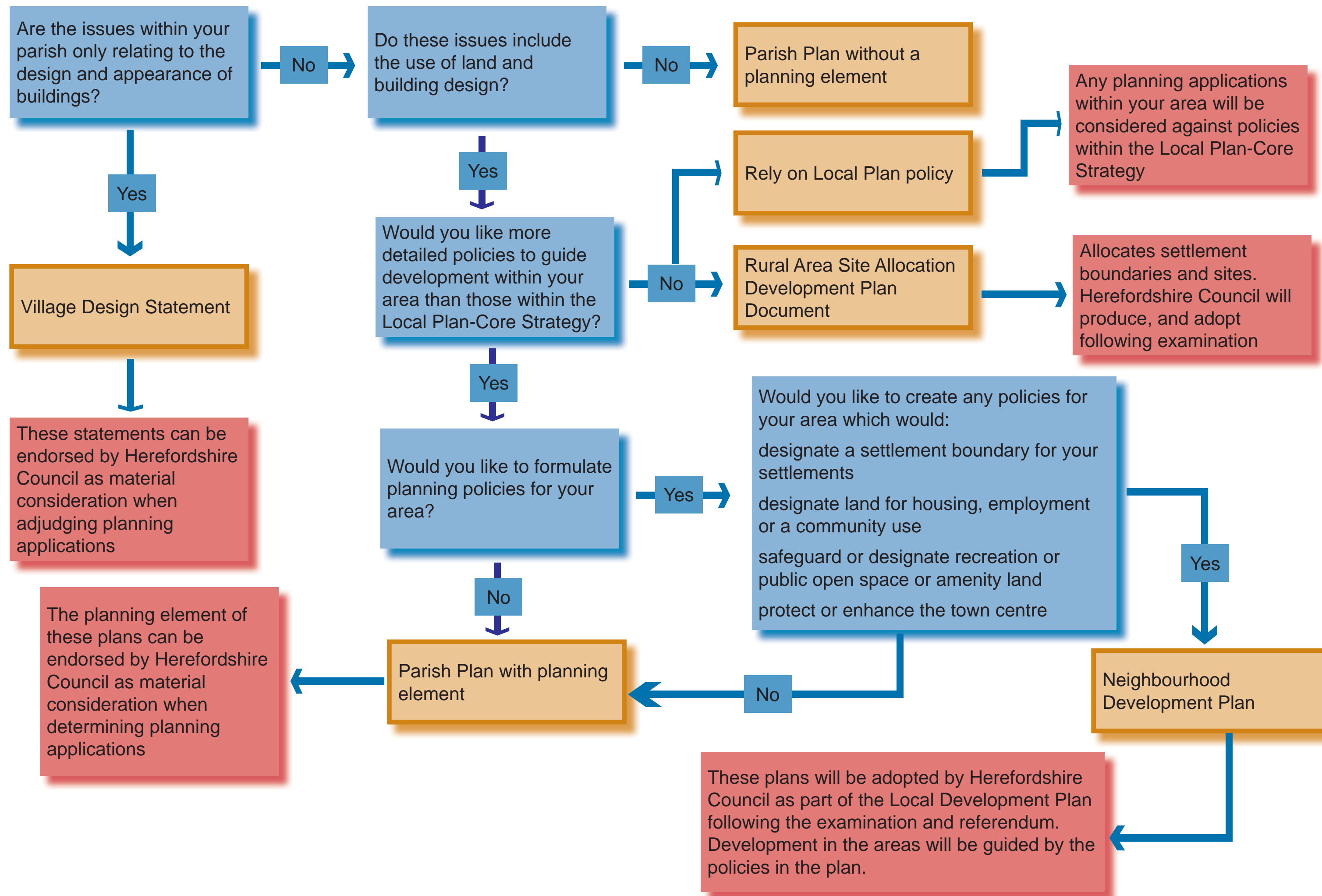
The process for preparing and adopting a 'Community Right to Build' order is broadly the same as that for a Neighbourhood Development Order.

Proposals will be subject to an independent examination and a referendum.

Further guidance notes can be obtained on the neighbourhood planning webpages for those interested in Community Right to Build Orders.

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Appendix 1



Neighbourhood Planning guidance notes available:

Deciding to produce a Neighbourhood Development Plan

1. Which is the right tool for your parish
2. What is a Neighbourhood Development Plan
3. Getting started
4. A guide to procedures
5. Funding

Plan Production

6. Developing a Vision and Objectives
7. Generating options
8. Writing planning policies
9. Environmental Assessment
10. Evidence base and information requirements
11. Implementation and Monitoring
12. Best practice community engagement techniques
13. Statutory consultees
14. Writing a consultation statement
15. Planning and other legislation
16. Web enabling your plan
17. Using OS based mapping
18. Glossary of planning terms

Topics

19. Sustainable Water Management in Herefordshire
20. Guide to settlement boundaries
21. Guide to site assessment and choosing allocation sites
22. Meeting your housing requirements
23. Conservation issues
24. Recreational areas
25. Renewable energy
26. Transport issues
27. Community Infrastructure Levy

Additional Guidance

28. Setting up a steering group
29. Creating a questionnaire
30. Community facilities
31. Conformity with the Local Plan (Core Strategy)
32. Examinations of Neighbourhood Development Plans
33. Guide to Neighbourhood Development Plan Referendums
34. Tourism
35. Basic Conditions
36. Your plan - Contributing to sustainable development