



General Information about the Planning System

Most new development (including building work, engineering work and mining) needs to gain consent, known as planning permission. This requirement enables people to assess the impacts of development proposals upon the community and the environment prior to a development taking place.

The planning system comprises the following main elements:

- National Planning Policy & Guidance – The Government produces a National Planning Policy Framework (NPPF) and associated national Policy Guidance to guide Local Planning Authorities (LPA) and neighbourhood planning groups when developing local/neighbourhood plan policy and making development management decisions.
- Local Plan making – primarily the responsibility of the LPA, a local development plan is a statutory requirement and will typically identify sites to meet future development requirements over a defined period of time – usually a minimum of 15 years. The plan will also contain policies to help guide decision making on individual planning applications.
- Development management – Local Planning Authorities are responsible for making decisions on submitted planning applications, taking account of national policy and adopted Local/Neighbourhood Plan policies and proposals.

Neighbourhood Planning

Neighbourhood planning was introduced under the 2011 Localism Act. It provides the opportunity for local communities to shape future development in their local area through the creation of a neighbourhood plan which will be used alongside local and national planning policies when making decisions on planning applications. The formulation of a neighbourhood plan is led by a 'qualifying body', whether a town or parish council, or a bespoke neighbourhood forum.

The Kinver Neighbourhood Plan has been developed by the parish council who have delegated responsibility for the drafting of the plan to a Neighbourhood Plan Group. In September 2020 South Staffordshire Council designated the whole of the parish area as the plan area for the Kinver Neighbourhood Plan. The plan has been the subject of two separate stages of consultation in the Autumn of 2022 and again in the Winter/Spring 2023. The plan

was also the subject of independent examination and the Examiner's Report was submitted to South Staffordshire Council on 15 June 2023. Prior to being 'made' the plan is submitted to a public referendum of eligible electors within the parish.

Before proceeding to a public referendum, the neighbourhood plan has to meet a number of statutory basic conditions. It is the purpose of the independent examination to ensure that these conditions are met. The basic conditions are as follows:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area; and
- Be compatible with European Union (EU) obligations and the European Convention on Human Rights.

The Examiner determined that, subject to the making of a number of modifications, that the plan (once amended) would meet the basic conditions and therefore could proceed to referendum. South Staffordshire Council and the Neighbourhood Plan Group agreed that the plan should proceed to a vote of the registered electors in the neighbourhood area. If more than 50% of people voting in the referendum support the plan, the local planning authority must 'make' the plan as soon as reasonably practical. Once 'made', a neighbourhood plan will be part of the statutory development plan and be used in determining planning applications within the neighbourhood area.