



## Neighbourhood Planning Frequently Asked Questions

Neighbourhood planning was introduced by the Localism Act in 2011.

A Neighbourhood Plan is a way of helping local communities to influence the planning of their local area.

In South Staffordshire, parish councils are the designated bodies that can prepare Neighbourhood Plans. Parishes can produce plans on their own or can get together with adjoining parishes and prepare a joint plan.

Plans are led and written by the community, but they must be in line with national planning policy, and strategic planning policies in the council's Local Plan.

### Why prepare a Neighbourhood Plan?

South Staffordshire makes decisions on planning applications in the context of national planning policy and the policies in our adopted Local Plan. When a neighbourhood plan is put in place, it will set additional planning policies for the parish and will be used to determine planning applications in that area.

### Can a Neighbourhood Plan be used to stop development happening in the parish?

The idea of neighbourhood plans is to guide development locally and policies might include protecting important green spaces, or identifying the types of new housing that are needed in a village. It is more about getting development right for an area than stopping it. It may be that the council's Local Plan has set a housing target for a village and the community would like extra housing, above the Local Plan allocation, of a specialist nature, such as extra care or affordable homes in addition to that target. A neighbourhood plan could help to deliver specific types of housing in this way.



### 3 Main Stages to produce a Neighbourhood Plan in South Staffordshire

<b>Stage 1</b>	<ul style="list-style-type: none"><li>• Designation of the parish area</li><li>• Preparing evidence</li><li>• Community engagement</li></ul>	Parish council/steering group
<b>Stage 2</b>	<ul style="list-style-type: none"><li>• Drafting the plan and its policies</li><li>• Consultation</li><li>• Ensuring basic conditions are met</li></ul>	Parish council/steering group
<b>Stage 3</b>	<ul style="list-style-type: none"><li>• Submission to the council</li><li>• Formal consultation</li><li>• Independent examination</li><li>• Referendum</li><li>• Make (adopt) Plan following positive referendum result</li></ul>	South Staffordshire Council

#### Who prepares the Neighbourhood Plan?

Neighbourhood Plans are community led by local community organisations, known as qualifying bodies. Where there is a parish council then this is the qualifying body, though the parish council may choose to put together a steering group of community representatives to help prepare the plan. This means that community representatives lead the plan, often with support from consultants. The neighbourhood planning group will have to talk to many local people, including residents, businesses, schools, and local community groups to find out what's important to them about the local area. The group should find out what improvements they would like to see and what the neighbourhood plan should focus on. This is called evidence gathering and is important to back up how the neighbourhood plans will look and the policies it will contain.

#### Why is evidence needed?

The neighbourhood plan will eventually become part of the legal development plan for the area, alongside the Local Plan. There is a specific statutory process that needs to be followed to get a neighbourhood plan in place, and the plan will be submitted for scrutiny by an independent examiner. Gathering evidence will take time and should be undertaken involving as much of the community as possible so it reflects the views of local people. A consultation statement showing how and when consultation was carried out, and what feedback was received will need to be prepared.

#### Basic Conditions

In preparing a neighbourhood plan, certain basic conditions must be met. These cover meeting national and local planning policy, contributing to sustainable development and ensuring that the neighbourhood plan does not have a significant effect on a protected habitat or species. It must also be compatible with Human Rights law.



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## What part does the district council play?

The district council can provide technical advice and guidance about the process and arrange for an independent 'health check' of the proposed policies and the content of the draft plan. This will highlight any concerns before the plan is submitted to the district council for independent examination. They can also advise on who and how to consult, but the early part of preparing and drafting the neighbourhood plan will fall to the qualifying body. Some groups employ an independent neighbourhood plan planning consultant to help them out. The district council will also undertake a screening of the plan, usually at an early stage in plan preparation, to determine if there are any 'significant environmental effects' which would indicate the need for a Strategic Environmental Assessment (SEA) or a Habitats Regulation Assessment (HRA). Once the qualifying body is satisfied with the draft neighbourhood plan it is submitted to the district where checks are made to ensure that all the correct procedures have been followed and all the necessary documents have been produced. It is at this point that the district takes over the formal part of the process leading to submission to an independent examiner and referendum.

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## South Staffordshire Council consultation

Once the neighbourhood plan has been submitted to the council, it arranges a formal consultation for 6 weeks on the draft neighbourhood plan, the Basic Conditions Statement, and the Consultation Statement. These are published on the council's website.

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## Independent examination of the Neighbourhood Plan

Following the council consultation, the neighbourhood plan and other consultation documents will be sent to an independent examiner who will check the plan and provide a report and recommendations to the council and the neighbourhood plan steering group. As part of the process, the examiner might ask questions of the council and the steering group to clarify certain points. Any such questions and the responses are also published on the council's website. The examiner might also suggest changes, or modifications, to the neighbourhood plan so that it meets legal requirements and can proceed to referendum. The examination will usually be undertaken by written representations, however hearings in public can be scheduled where the examiner considers this to be necessary.

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## Referendum

It is the responsibility of the district to organise the referendum for a neighbourhood plan. The council must publish a 'Notice of Referendum' which must be published 25 working days before the day of the referendum. Neighbourhood plan referendums are conducted in accordance with procedures like those used at local government elections. Voters receive a poll card which will provide details of when and where they can vote on the neighbourhood plan. If more than 50% of people voting in the referendum support the plan, then the council must bring it into force.

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## Making the Neighbourhood Plan part of the development plan for the district

Once the neighbourhood plan has been formally adopted, or 'made', any decisions about whether to grant planning permission in the neighbourhood area in the future must take the policies and proposals in the neighbourhood plan into consideration.





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## Who pays?

This is a two way responsibility with the parish council and the district council funding the plan. The district council will provide help and technical guidance, carry out checks and pay for formal consultation after the plan has been submitted to us, plus the costs of the examination and the referendum. The district council will also meet the costs of a pre-submission 'health check' if requested by the qualifying body.

Parishes will need to meet the cost of their own consultations and evidence gathering, setting up their website, an independent planning consultant if used, and any costs associated with a sustainability appraisal and Habitats Regulations Assessment (if considered necessary). External funding to support making neighbourhood plans is available to parishes, but it is advisable to check sources as this is subject to change.

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## More Information:

South Staffordshire Council: **Neighbourhood plan ([sstaffs.gov.uk](http://sstaffs.gov.uk))**

Government Guidance: **Neighbourhood planning - GOV.UK ([www.gov.uk](http://www.gov.uk))**

Royal Town Planning Institute: **RTPI | Neighbourhood planning - Locality Neighbourhood Planning**



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