

**Neighbourhood Plans
As at Dec 2011
(note: regulations still being consulted on)**



Some General Points

- Changes to planning system emphasise a presumption for growth with a positive approach to development, although it is stated that this should not compromise key sustainable development principles. Thus there is some protection for most valued land e.g. Areas of Outstanding National Beauty. A key objective is the delivery of new homes and an improved economy.
- Neighbourhood Planning is intended to allow communities to create their own vision of where new homes, shops, businesses or offices should be located. If successful, the Plan is adopted and therefore it has strong policy influence.
- Community Led Planning can be a good basis for Neighbourhood Plan, providing the evidence base and starting point.
- Neighbourhood Plans will have statutory status if approved and as such must be shown to be in “general conformity” with the Local Plan.
- A Neighbourhood Plan can include a whole area (e.g. parish-wide) or a part of an area but there can only be one Neighbourhood Plan in existence.
- In Cornwall which is fully parished, a Neighbourhood Plan must be instigated by the Parish or Town Council and has to be agreed by the Local Authority (which then has a duty to co-operate in its production).
- Communities will be able to identify special protection for green areas of particular importance ‘Local Green Space’ subject to demonstrating evidence of community value and ensuring that the area is proportionate to the undeveloped areas.
- A Neighbourhood Plan sets out policies and can allocate sites for land use and development; identify green spaces to complement (not undermine) development of housing, jobs and services. It can include road improvements, footpaths, specify design of housing, specify green space and recreational facilities etc.
- A Neighbourhood Plan can include any planning related issue and can be more detailed than a Local Plan. In fact, it will often provide the finer local detail which is not set out in the Local Plan.
- Communities could choose to produce a Neighbourhood Plan setting out policies or a Neighbourhood Development Order which goes further – i.e. any development that conforms to the order can proceed without the need for separate planning permission – permissible development (an example being that it might allow for minor extensions to houses etc).
- Community Infrastructure Levy – contributions to be agreed upfront with developers and a meaningful proportion to be used for the neighbourhood affected by the development. A formula for this is being calculated, although it should be noted that this has some local variance – because of the viability of development if CIL were imposed at a set rate irrespective of area.

The Process – General Overview and Ideas.

It is important that you work with Cornwall Council and support officers throughout the process and engage with residents, community groups, businesses, stakeholders including landowners and developers, and others as appropriate.

- The Parish or Town Council will want to initially find out about the process, what it can do for the community, and then decide whether to proceed. They will need to work with Cornwall Council in defining the area that will be part of the Neighbourhood Plan (NP) or Neighbourhood Development Order (NDO). Cornwall Council will need to be in agreement, as council officers will be involved in taking it forward.
- Funding will need to be discussed and arranged before proceeding – early pilot schemes put forward by Cornwall Council (and other authorities) attracted funding from the Government to help with this but the future funding situation is unclear. As well as factoring in funds when setting the precept, parish or town councils may also need to apply for, or source, other funding for this process.
- Be clear about why you want to move forward with a NP or NDO.
- Publicise what you are doing so that the community is informed before you start in earnest - to help garner interest and involvement, attract volunteers and so on.
- Set up a Steering Group/NP team (a mix of councillors and the community).
- Produce an action plan for activities with a timeline – when are you hoping to complete the process? It is good to have target dates to work to.
- Develop a communication strategy (what you want to consult on, how you will do this etc). Ensure that you consider how the NP Team and Parish/Town Council, and other key partners are kept fully informed and that information flows between them.
- Consult widely (residents; stakeholders – developers, developers, landowners etc; businesses, community groups). Try and involve young people perhaps through schools, clubs or projects.
- Gather statistics and relevant information.
- Draft NP or NDO based on consultation and discussions with stakeholders – seeking advice about policies, community infrastructure levy formula, and its general conformity with Local Plan. It must not be in opposition to the Local Plan.
- Draft to go out for consultation and to be amended as appropriate based on feedback.
- Put together implementation section of Plan and re-check against policies etc.
- Undertake final consultation.
- Submit NP or NDO to the local authority.
- The Plan then undergoes an independent examination.
- If successful, a referendum will be held and if the NP or NDO is supported, it is then formally adopted.

* It is important to seek help from Cornwall Council technical officers (who can clarify important elements of the process and offer help with the process) as well as support officers. It is also crucial to engage fully with all interested parties throughout the process.

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This document has been informed by information from our national body (ACRE), Cornwall Council literature, government publications and other sources.