

Neighbourhood Planning

– Notes for Town and Parish Councils

(A summary of advice given to Town and Parish Councils thinking about preparing Neighbourhood Plans)

Background

The ability for a Town or Parish Council to produce a Neighbourhood Plan is in the Localism Act. This Act was given Royal Assent in November, and is due to take effect in spring 2012. The Government has published draft Regulations and guidance about how Neighbourhood Plans will work, and the Regulations are likely to come into force in May 2012. It is important to note that no formal stages in the Neighbourhood Planning process can take place until the Regulations are in force.

The District Plan and Community Infrastructure Levy

The draft District Plan is currently out for public consultation until 13th January. The intention is then to revise the Plan and take it through the District Council Committee process in April and May prior to final approval in June 2012. The District Plan will then be published for a further 6 weeks and submitted to Government in the autumn for Examination. Final adoption is planned for May 2013.

Alongside the District Plan we are working on a Community Infrastructure Levy for Mid Sussex. This will largely take over from s106 as the major source of developer contributions towards infrastructure. There are three main documents:

- the Infrastructure Development Plan, which sets out the infrastructure needed and its cost;
- the Viability Study, which assesses the amount of charge which developments can stand; and
- the Charging Schedule, which sets out the rates to be charged for each type of development.

It is intended to take a draft Charging Schedule through the District Council Committee process in January and then consult on it in February/March. The Schedule would then be amended as necessary and the final version agreed at the same time as the District Plan. The Charging Schedule will also have to be Examined, probably immediately after the District Plan Examination.

What are we asking Town and Parish Councils to do?

The District Plan needs to reflect the aspirations of the community, and provide a framework for future Neighbourhood Plans. It is vital therefore that Town and Parish Councils input information over the next few months so that the District Plan is in tune with their emerging work.

In addition, the Government will expect the District Plan to demonstrate how it is going to deliver on the housing numbers and economic development that the area needs. The draft District Plan includes a



strategic allocation for development at Burgess Hill, which includes 3,500-4,000 new homes and a business park. However, the final Plan will need to show how it will deliver approximately 2,300-2,800 new homes and business development in other parts of Mid Sussex.

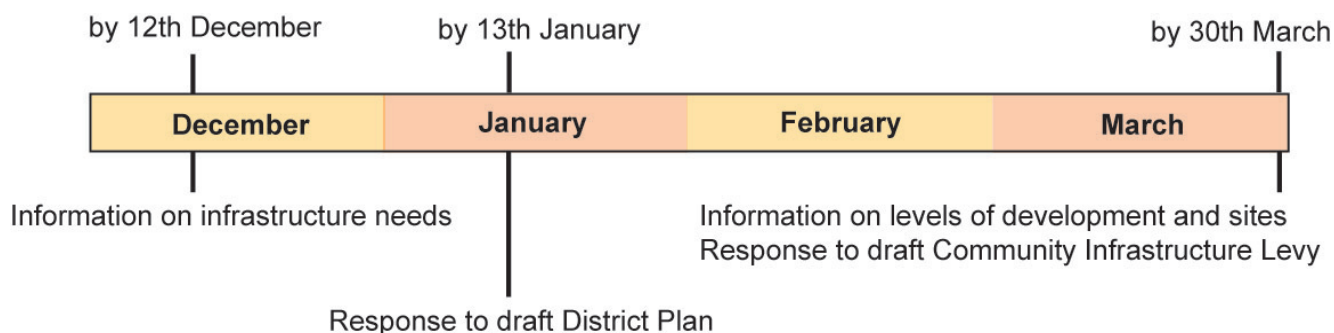
It is unlikely that these will take the form of allocations, as this would be premature to the Neighbourhood Planning process. However, it is hoped that Town and Parish Councils will be able to confirm to the District Council which sites they will be considering through their Neighbourhood Plans, so that the Inspector can be satisfied that there are sufficient opportunities in the area to meet its needs, and that there is commitment from the Towns and Parishes to progressing Neighbourhood Plans.

It is also likely that the Inspector will require the District Council to have a 'back-up plan' if Neighbourhood Plans are not being progressed to deliver the necessary development. This would take the form of an 'old fashioned' allocations document prepared by the District Council. This would only be deployed as a 'last resort', for instance if Mid Sussex was in danger of failing to have a five year supply of housing land, as this would mean that it was again at risk of unplanned development on greenfield sites.

The Infrastructure Development Plan needs to be robust and based on a realistic assessment of infrastructure needs and how much these will cost. Whilst Town and Parish Councils provided valuable input on this over the summer, it is recognised that their thinking may have evolved as they look at options for their Neighbourhood Plans.

Whilst some Town and Parish Councils may feel comfortable giving this sort of input based on previous consultations with their communities, others may wish to use these questions as an opportunity to have early conversations with local people about infrastructure needs, the level of development that would be acceptable to fund that provision and possible sites. The District Council would encourage such engagement.

Timelines for Input to District Council



Neighbourhood Planning

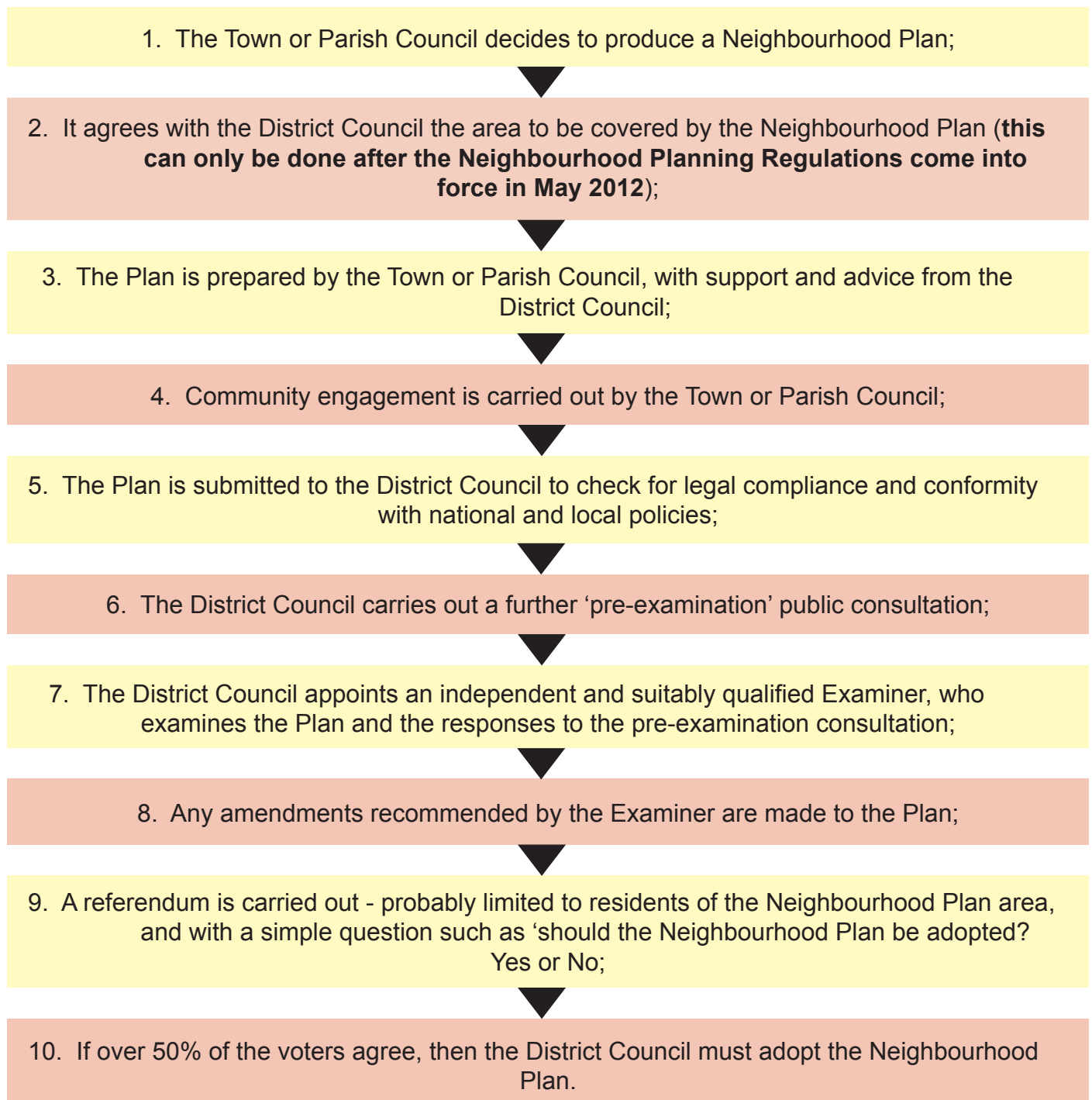
A Neighbourhood Plan is a tool for managing change. It can set out a vision for an area and planning policies for the use and development of land. It will be about local rather than strategic issues. For example it could cover where new shops, offices or homes should go and what green spaces should be protected.

The plan does need to be compatible with national policies and the policies in the District Council's plans (such as the District Plan). It should be focused on guiding development rather than stopping it. If adopted it will become a statutory plan and be used in making decisions on planning applications.

Why would we produce a Neighbourhood Plan?

The Localism Act proposes to give Town and Parish Councils the power to produce Neighbourhood Plans, but they have no duty to do so. It is entirely voluntary, and communities may instead choose to rely just on the District Council's plans, or on supplementary planning documents such as Village Design Statements. However, this would be a missed opportunity for town and parish councils to take the lead in deciding how their areas should develop and change.

The Neighbourhood Plan Process



How do you prepare a Neighbourhood Plan?

Point 3 above needs some amplification. The following advice is based on the District Council's experience of plan-making. However, the draft Neighbourhood Planning Regulations are not prescriptive about this, so communities may find other ways of preparing plans that are more suited to local circumstances.

1. Most Town and Parish Councils will have produced plans before – town healthchecks, parish plans, action plans, village design statements or other supplementary planning documents. These will have been based on community engagement, and will provide a good basis for work on your Neighbourhood Plan.
2. We suggest you set up a specific Working Group to progress the Neighbourhood Plan. Involving people from outside the Town and Parish Council can broaden the knowledge and skills base of the Group, and encourage involvement from the wider community. Some communities have had a core group of about 6 people working on the plan, but a larger group of people who have said they would be willing to give some time to the project – for instance for delivering leaflets door to door, or for giving advice or practical assistance where necessary, based on their professional skills.
3. Decide early on what problem/s you are trying to solve. From the work you have done on previous plans, you will already have a good feel for the local issues that need to be addressed. Being focused on these from the start will help you to decide what evidence needs to be gathered to inform the solutions.
4. Think big issues. A Neighbourhood Plan is just one tool in your kitbag, and if you only have a small nut to crack then it will not be the best tool to use. The advantage of a Neighbourhood Plan is that you can allocate sites and create your own new policies, whereas supplementary planning documents can only add detail to existing allocations and policies.
5. Be aware of the wealth of evidence that already exists for your town or parish. The District Council has accumulated evidence on local issues such as landscape character, areas of historical importance, social and economic needs etc. It also has a lot of information on the potential sites that may be available for future development. District officers are happy to talk you through the evidence available.
6. You may want to supplement this, through local survey work for instance, where you are in a position to get a much better response rate and more locally specific material than a district-wide study would. Alternatively you may want to employ consultants to carry out more specialised work such as landscape appraisals. However, you need to be clear how this information would help you to make choices about the content of your Neighbourhood Plan. District officers have experience of writing briefs for work and getting competitive quotes, and we can share this experience with you.
7. Keep the communication channels open with the District Council. Don't leave it to the point of submission to find that your Plan is not in conformity with national or local policies, or has not met some other legal requirement. This will raise false expectations in the public that will then be difficult for both tiers of Council to handle.
8. You will need to do a Sustainability Appraisal of your plan. Some of you will have experience of this process with supplementary planning documents. There may be other legal requirements, for instance under the Habitats Directive, that certain areas of

the District will need to comply with. Again District officers can provide advice on this.

9. Involve your community. You will want to do this anyway to make sure that the Plan meets the needs and aspirations of the community. However, at the end of the process the Neighbourhood Plan will only be adopted if it passes the referendum. To mitigate the risk of falling at this last hurdle, you will need input from a significant proportion of your community, otherwise the Plan and the referendum result could be dominated by single interest groups. Tap into existing gatherings of people, and try to target those who are traditionally 'hard to reach' groups in the community – the young, the fulltime workers/commuters, the elderly – especially those who are housebound. Don't forget your business community – not just the obvious candidates like the local shop and garage, but the hidden businesses operating out of people's homes. What do they need? The Council's 'Statement of Community Involvement' gives general advice on how to engage communities, but the best methods will differ from community to community.
10. Finally – share your experiences with us, and with each other. This is a new area for everyone, and very challenging. By pooling knowledge on how to prepare Neighbourhood Plans we can reduce procedural errors and optimise the opportunities for genuine engagement and Plans that really address and solve local issues.

Content of a Neighbourhood Plan

Again this is not prescribed, but some parishes have asked for a 'template' as guidance on what could be included. The following are only suggested chapter headings:

1. The vision and objectives for your area
2. What, where, when and how your area will change to achieve your vision and objectives (i.e. allocations and site specific policies)
3. What infrastructure needs to be provided, and how this will be funded
4. Design principles and characteristics of the area that should be preserved
5. Delivery – how you will work with partners and developers to deliver your Plan, how you will measure whether it is successful, and when you might review it.

For Chapter 4 you may wish to borrow heavily from an existing Village Design Statement, to give it more weight than it currently holds as a supplementary planning document. For those who do not have an adopted VDS, you may want to design this chapter so that, if the rest of the Neighbourhood Plan becomes too contentious, you could just extract this section and progress it as a Village Design Statement. This would avoid the need for an examination or referendum, but the VDS would not carry as much weight in planning decisions as a Neighbourhood Plan.

Evidence

The evidence you will need will depend on what you are trying to do in your Neighbourhood Plan. The following table tries to anticipate the type of issues you might be considering, and suggests what existing evidence would be relevant, and what additional evidence might be needed. This table can be added to as issues arise. MSDC Evidence base documents are available on our website at: <http://www.midsussex.gov.uk/8329.htm>

Issue	Existing evidence that might be relevant	Additional evidence that might be needed
Housing need	MSDC can provide ward based information on affordable housing need based on the Common Housing Register. For help in interpreting any of this information, please contact the District's housing enabling officers.	Action in Rural Sussex may be able to carry out a local housing needs assessment for your parish. If you want to ask for more than 30% of new housing to be affordable, you will need to carry out a viability assessment to demonstrate that this would not stop the development being built.
Employment need	District employment needs are set out in the Employment Land Review. WSCC also has some ward based data.	Local surveys may produce finer grained information, both on the employment needs of your population, and the growth needs of your local businesses.
Other social needs	MSDC holds data on areas of deprivation etc which may identify areas of your parish that need special intervention.	This general data may need to be supplemented by surveys or just discussions with the groups or areas affected to identify what intervention would be the most effective.
Environmental Characteristics and design issues	Conservation Area Appraisals, WSCC Extensive Urban Surveys, Landscape Character Assessment for Mid Sussex, Ancient Woodland Survey.	Local wildlife groups may have additional survey information to supplement official records held by Sussex Wildlife Trust. MSDC Urban Designer may be able to assist with design principles.
Site allocations	MSDC can provide information on the availability and deliverability of the sites that have been put forward for development in the past. Where sites have been advanced to planning application stage, such evidence may be quite detailed. There is also general landscape evidence available – particularly in the Mid Sussex Landscape Capacity Study.	On sites where there is little or no existing evidence, or the evidence is against allocation, then you may need to supplement this. For instance, it may be necessary to have a landscape study produced to show the relative merits of different sites.

Local Gaps		These will need to be justified by up to date evidence, as per Policy DP8 of the draft District Plan. Clearly such studies should ideally be joint ones between the affected parishes.
Traffic congestion	This will vary across the district. Some areas like East Grinstead have very detailed transport evidence in existence and currently being undertaken, whereas in other places may only have evidence in the transport assessments undertaken for past planning applications.	If your issue is a congested High Street for instance, you may wish to undertake a feasibility study on the possible solutions. You may also want to consult on these options to gauge the best intervention for your area, how much it will cost, and where that funding might come from.

Joint Working

The above table is based on issues that we are aware parishes are already thinking about. There are many common issues, particularly between villages, but also between towns and neighbouring villages. You do have the opportunity to produce joint Neighbourhood Plans with other Town or Parish Councils. However, even if you don't go down this route, we would encourage you to talk to each other about joint procurement of evidence work where many of you are looking to produce very similar pieces of evidence. As an example you are likely to get a much better deal if one consultant is procured to carry out assessments of all the potential local gaps, and the costs are shared between parishes, than if you all individually procure a consultant to look at your own local gap.