

Your Neighbourhood, Your Plan

# Neighbourhood Planning

2013



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# 1 INTRODUCTION & BACKGROUND

## WHAT IS A NEIGHBOURHOOD PLAN?

- 1.1 Neighbourhood planning offers local people a fantastic opportunity to get involved in building and shaping their communities. The Localism Act 2011 has brought about reforms to the planning system in England which gives communities more control and influence over their area and how it should develop. The main tool for doing this is the community-led Neighbourhood Plan.
- 1.2 The Act also promotes Neighbourhood Development Orders (NDOs). An NDO grants planning permission for all or certain uses in a specific location within the Neighbourhood Plan area. In addition Community Right to Build Orders could be available as a means of providing community-led site development.

*Neighbourhood planning is about letting the people who know about and care for an area plan for it. It is led by the residential and business community, not the council, and is about building neighbourhoods – not stopping growth. (Neighbourhood planning: a guide for ward councillors, Planning Advisory Service)*

- 1.3 Neighbourhood Plans will set out policies on the development and use of land in an identified parish or neighbourhood area. Once plans are adopted they will become part of the development plan for North Lincolnshire. This means that they will become a main consideration in the planning system when making decisions on planning applications.
- 1.4 This guide is based on the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. If you are thinking about developing a Neighbourhood Plan for your area, it is recommended that you read this guide and contact North Lincolnshire Council to help you get started.

## WHY DEVELOP A NEIGHBOURHOOD PLAN?

- 1.5 Developing a Neighbourhood Plan can have a number of benefits for local communities in North Lincolnshire. First of all it can help your community play a greater role in shaping the future of your area. Secondly, in actually doing the work, it can bring together residents, businesses, local groups, landowners and developers to share ideas and build consensus on what needs to be achieved in an area. Thirdly, it can help create lasting partnerships both within and outside of your community.

## WHO SHOULD DEVELOP NEIGHBOURHOOD PLANS?

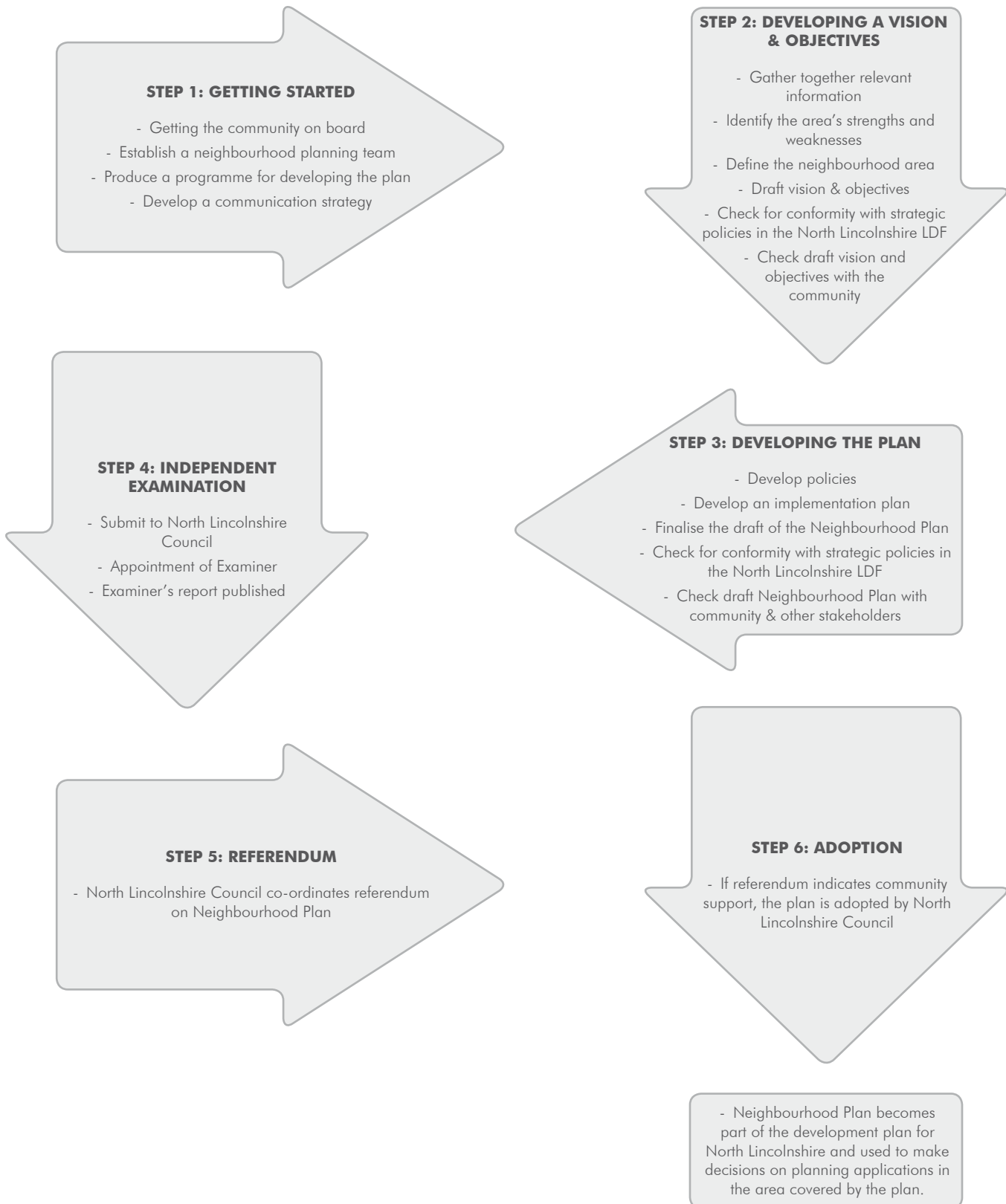
- 1.6 The process of developing should be led by a Neighbourhood Forum. This forum is likely to vary from area to area. In rural areas it may be appropriate for the local Parish or Town Council to act as the forum whilst in urban area there may other community groups who could lead the process. However, this does not mean that plans should be developed by these forums in isolation from the rest of the community. Involving a wide range of local people and groups will help strengthen local support for the plan (very important at the referendum stage – see later) and will also help make it easier to implement. For example, these could include residents, other community organisations, elected representatives, businesses, landowners and developers.
- 1.7 At certain points during the Neighbourhood Plan preparation process it will be necessary to involve officers from North Lincolnshire Council. This may be to deal with specific local issues (e.g. education, highways etc) and will need to include officers from planning services. This could be to provide advice, guidance or information on a particular issue (e.g. helping you to profile your local community) or to comment on draft

documents to make sure that they conform to local, national and European planning policies and regulations.

- 1.8 It will also be necessary to involve statutory bodies. These include water and sewerage providers (Anglian Water, Severn Trent Water or Yorkshire Water), electricity and gas providers, telecommunications providers or Government bodies like the Environment Agency, the Highways Agency, English Heritage or Natural England amongst others.

## HOW DO YOU DEVELOP NEIGHBOURHOOD PLANS

- 1.9 As neighbourhood planning is a relatively new idea, there are no hard and fast rules as to how a neighbourhood plan should be developed. The Government has prepared some information leaflets about neighbourhood planning which can be found on the Department for Communities & Local Government website [www.communities.gov.uk](http://www.communities.gov.uk). Other details of the process and how it will operate can be found in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. There are a number of Neighbourhood Planning Frontrunner projects across England. These have been selected to try out the process and will help the Government and everyone else by providing best practice.
- 1.10 Based on emerging knowledge and best practice, it is possible to identify a step by step methodology which will help town/parish councils or neighbourhood forums to prepare Neighbourhood Plans. These are set out in the diagram on the below. You will see that the final three stages will be statutory which means that they are obligatory and cannot be omitted if you want to adopt your Neighbourhood Plan.

**FIGURE 1 - SIX STEPS TO PREPARING A NEIGHBOURHOOD PLAN**

## 2 STEP 1: GETTING STARTED

- 2.1 Neighbourhood Plans are designed to be led by local communities, with town/parish councils or neighbourhood forums driving the process. The success of the plan will be very much dependent on strong local leadership and partnership working.
- 2.2 Before work can begin on Neighbourhood Plans, you must apply to North Lincolnshire Council to designate the “neighbourhood area” to be covered by the plan. This is a fairly easy process – you must provide a map showing the boundary of the neighbourhood area along with a statement setting out what the area is and why it is being put forward. Another statement is required setting out why the organisation or group putting forward the proposal for a Neighbourhood Plan is capable of being a qualifying body. An application and guidance note has been prepared to make things as easy as possible for you.
- 2.3 Once the council has received your application, it will then be advertised for a six week period to allow representations to be made on the proposals before a decision is made whether or not to designate your area as a “neighbourhood area”. Details of the council’s decisions and reasons will be forwarded to town/parish council or neighbourhood forum and made public.

*A qualifying body to prepare a Neighbourhood Plan is a town or parish council, or a neighbourhood forum.*

- 2.4 If you live in an area which does not have a town or parish council, Neighbourhood Plans should be prepared by bodies called Neighbourhood Forums. To set up a Neighbourhood Forum, you will need to apply to the council to be designated as such. You will need to provide details including the name of the Neighbourhood Forum, a copy of the Forum’s constitution, the area to be covered by the Forum, contact details as well as a statement setting why the Forum is the appropriate body to prepare the neighbourhood plan.

- 2.5 As with the process for designating Neighbourhood Areas, once the council receives your application to be a Neighbourhood Forum, it must be advertised to allow representations to be made.

*A group or organisation can only be designated as a neighbourhood forum if the local planning authority is satisfied that the following conditions have been met:*

- *The organisation is “established for the express purpose of furthering the social, economic and environmental well-being of individuals living, or wanting to live, in an area that consist of or includes the neighbourhood area concerned;*
- *The membership of the organisation is open to people living or working in or elected to represent the area concerned;*
- *There are at least 21 members of the organisation and they live or work in or represent the area concerned; and*
- *The organisation has a written constitution.*

*There can only be one neighbourhood forum per neighbourhood area. The designation of an organisation as a neighbourhood forum cannot subsequently be withdrawn by the local planning authority. The designation lasts for five years.*

- 2.6 At this point other groups or organisations can put forward alternative applications to be designated as Neighbourhood Forums. Any such applications need to be made within 28 days of the first application.
- 2.7 Once this period is over, the council need to consider your application and any alternatives. The

idea is that this is done quickly and clearly. Once a decision is reached, the council has to publish it on its website. Details to be published include the name of the neighbourhood forum, the area which it covers and forum contact details.

## GETTING THE COMMUNITY ON BOARD

2.8 Once you have agreement on the area to be covered by the plan or on the Neighbourhood Forum, you need to start to get community support for preparing a Neighbourhood Plan. This is important as a Neighbourhood Plan should reflect the aspirations of the whole community, something that will be vital when it comes to holding the referendum on the plan. If support is not wide spread, it could make it difficult to produce a plan which has community backing.

2.9 To help gain support and to get as many people involved your whole community needs to be informed about your intentions to produce a Neighbourhood Plan. Involving local people from the start is vital to the process. To do this you may consider one or more of the following methods:

- Holding a public meeting. This could be used to explain to local people why you want to produce a Neighbourhood Plan, the process which must be followed, and identify key local issues. Also it could prove useful in recruiting volunteers to help with the process or serve on any steering group.
- Contact local groups/organisations. In most communities there are a wide range of other groups or organisations that could make a useful contribution to the Neighbourhood Plan making process. Contacting these groups or organisations could identify key local issues, provide useful expertise or ensure wider publicity.
- Clear publicity and communications. It is important to get your message across, so using good publicity and clear communications throughout the whole process is essential.

## MANAGING THE PROCESS

2.10 Experience elsewhere in the country suggests that a Neighbourhood Planning Team or Steering Group should be established to help manage the process. More often than not these teams or steering groups will be mostly made up of town/parish councils or neighbourhood forums; however, it is

important that the wider community should be able to get involved and serve on these teams/groups. This could help to ensure that any plan has wider community support and will better reflect the aspirations and vision of the whole community.

2.11 In putting together a Neighbourhood Planning Team or Steering Group, an important consideration for you will be the range of skills, knowledge and experience needed. The selection process should be fair, open and inclusive. For example, if you hold a public meeting then this can provide the ideal opportunity to recruit members to join. Once the team is in place you may find it useful to produce some simple terms of reference for the Neighbourhood Planning Team or Steering Groups.

## PROGRAMME FOR PREPARING THE PLAN

2.12 You will need to think about how work is likely to be needed to prepare your Neighbourhood Plan. Key things to think about are:

- What activities will need to be carried out at each stage (e.g. meetings, publicity, surveys etc)?
- What resources will be needed to carry out these activities (e.g. people, materials, funding)?
- How much time will you need to undertake each stage?

2.13 Preparing a project plan will help to focus work and will be a useful tool against which to assess progress as well as to identify what level of resources will be needed at each stage. The Government estimate that a Neighbourhood Plan will take about a year to complete.

## PUBLICITY, COMMUNICATIONS AND INFORMATION PROVISION

2.14 As mentioned above, the earlier people get involved in the process of developing the Neighbourhood Plan, the more likely they are to participate at all stages. Community support is vital particularly at the referendum stage. Given this you will have to give considerable thought as to how you communicate with your community about the plan. It may help to put together a communication plan that could set out how and when the community can get involved.



## 3 STEP 2: DEVELOPING A VISION & OBJECTIVES

- 3.1 At the heart of every Neighbourhood Plan is a vision. Each plan's vision should set out a clear, long term idea of what the community will be like as a place to live and work in 15 to 20 years time. Visions can be anything from a brief statement to a number of statements. The vision should be the agreed goal for the community and reflect its aspirations.
- 3.2 The plan should also set out objectives based on what the community wants to see delivered to achieve the vision. These objectives provide the basis for the detailed actions and policies which will be set out in the plan to guide development and shape the community.

### UNDERSTANDING YOUR COMMUNITY

- 3.3 To help develop a vision and objectives, a useful place to begin is to ensure that you have full understanding of your community and its characteristics as well as if there are any existing or proposed developments that might have an impact. This section of the guide sets out some techniques you may find helpful.
- **Community Profiling:** Can help to provide social portrait of the community. This involves examining statistical information about the community such as population size, household size, incomes, family composition etc. Some useful resources for finding this information include the council's website, the neighbourhood section of the ONS website and the NOMIS website, which can provide information on labour market statistics.
  - **Identifying Assets:** It may be useful to you to take stock of all the area's physical assets and also note their condition. This could include community centres, village halls, playing fields, sports facilities, footpaths, health facilities etc. Taking photos of the assets and marking them on a map could then form the start of a "neighbourhood inventory", which you may find useful in later stages of work on the Neighbourhood Plan.

- **Review Existing Plans and Strategies:** These can provide a wealth of information about communities, in particular what policies and proposals may have a bearing on the development of the area. Accordingly, it is important that any implications of them are clearly understood and that any plan produced is in conformity with them. Examples of existing plans and strategies could include:
  - a) Previous versions of any Parish/Town Plans or Village Design Statements.
  - b) North Lincolnshire Local Plan and Local Development Framework documents that can be found on the council's website.
  - c) Evidence base documents that support the Local Development Framework (e.g. Sustainable Settlement Survey; Playing Pitch Strategy; Strategic Flood Risk Assessment etc).
  - d) The Local Transport Plan 3.
  - e) Other strategies relating to health, education, housing, etc.
- **Working with Stakeholders:** There are a wide range of different groups or organisations, commonly known as stakeholders, who provide a range of expertise or prepare strategies that may have a bearing on your community. They also may have aspirations for the community which have yet to be realised that Neighbourhood Plans could put into policy. Among the stakeholders you might want to contact are community groups, businesses, landowners, North Lincolnshire Council officers and officers from other agencies like the Environment Agency or the local health authority.

- 3.4 As part of understanding your community and getting local people involved in preparing a Neighbourhood Plan, a useful exercise is to identify the community's strengths and weaknesses. This involves asking local people to provide their views on what they think about their

community – its strengths, its weaknesses, what is good about living there, what is missing from the community, what’s needed to improve the area, available resources, what opportunities exist or what barriers face the area.

- 3.5 There are a number of ways you could organise and conduct this. However, every community will be different and the way in which you involve people should reflect this. For example, you could use a community wide survey, hold community events or use focus groups/discussion groups. Also, it may be appropriate to tailor community involvement techniques to different parts of the community.

## DEFINING YOUR NEIGHBOURHOOD AREA

- 3.6 You must define your neighbourhood area. This is the area that will be covered by the Neighbourhood Plan. In those areas with town/parish councils, it is expected that the neighbourhood area will cover the whole town/parish. However, it is possible for a neighbourhood area to cover part of a town/parish or more than one town/parish. If your neighbourhood area is proposed to cover more than one town/parish council area, you will need to involve the relevant town/parish council and seek their permission to include their area. This could have implications for the make up of Neighbourhood Planning teams or steering groups and the level of community involvement needed. In areas with no town/parish councils, any neighbourhood area will be defined via a Neighbourhood Forum.
- 3.7 As mentioned in paragraphs 2.2 to 2.7, you will need to submit your proposal for neighbourhood areas and neighbourhood forums to North Lincolnshire Council for their consideration and to be advertised. Ideally proposals should be submitted in electronic format.

## PUTTING TOGETHER THE VISION & OBJECTIVES

- 3.8 You will need to consider the time period that your Neighbourhood Plan will cover. Given that it will become part of the Development Plan for North Lincolnshire, it is advised that it covers the same period as the Local Development Framework Core Strategy, which is up to 2026. If you feel that a different time period is more appropriate for your community, this is not necessarily a problem.

- 3.9 In coming up with your vision and objectives, it will need to be based on the information gathered previously as well as early public involvement. You could have a single vision or put forward a number of different options for your vision to allow people to comment. The main thing is that your vision is realistic and achievable. For example a vision could include reference to what the area will look like; what facilities there will be and what quality of facility will be in place and what the social and economic outlook for the area will be.
- 3.10 Objectives are more detailed. They set out how the vision will be achieved and may include details of specific projects or actions to be implemented as part of delivering the vision. There is no limit on the number of objectives. In some cases, depending on community priorities, it may be appropriate for each element of the vision to have one or more objectives linked to it.
- 3.11 In developing your Neighbourhood Plan, it is likely that local people may raise issues that are not directly related to the plan making process and therefore cannot be addressed by the plan. For example, issues surrounding anti-social behaviour, littering or communications may be raised. However, such issues may be important for your local community and could be addressed through another route.

### *Example of an objective:*

*Part of your vision may state that you want to see “accessible, high quality areas of green space ...”*

*An objective leading from this may be to “seek the provision of an outdoor recreation space within easy walking distance of the centre of the village/town/neighbourhood”.*

- 3.12 One approach may be for the town/parish council or other group to develop a separate action plan for these issues. Alternatively, it may be more appropriate to pass concerns onto the council or other public bodies such as the police.

## CONFORMITY WITH KEY LOCAL POLICIES

3.13 Neighbourhood Plans are required to be in conformity with existing local planning policy set out in the North Lincolnshire Local Development Framework (LDF) and any other relevant planning documents. You will need to check your vision and objectives against the LDF. The council's Spatial Planning team can provide you with advice on the LDF and other local planning policies, and whether or not your vision and objectives are in conformity with them nor not.

## CHECKING THE VISION & OBJECTIVES WITH THE COMMUNITY

3.14 As well as making sure your vision and objectives are in line with existing local planning policy, it is important to make sure that your community supports them as well. The more community support you have the better the plan will be especially when it comes to the referendum stage. To test community support, you could for example distribute copies of the vision and objectives to the community and ask them to comment. Alternatively, you may wish to use existing community groups, hold informal discussion groups, or arrange public meetings or drop in events. You could also publish the information in a newsletter or on-line and encourage people to give their views. Following consultation, any necessary amendments can be made before moving on to developing the detailed content of the Neighbourhood Plan.

## 4 STEP 3: DEVELOPING THE PLAN

- 4.1 Once you have established your vision and objectives for your Neighbourhood Plan, the next stage will be to develop its detailed content. This will include policies, proposals maps and possibly even an action or “implementation” plan for the area. These are covered below.
- 4.2 Again it is important to note that any policies or proposals contained in your Neighbourhood Plan will need to be in conformity with existing local planning policy set out in the North Lincolnshire Local Development Framework (LDF) and any other relevant planning documents. Also the contents should have community support.

### DEVELOPING POLICIES FOR THE NEIGHBOURHOOD PLAN

- 4.3 At the national level, central Government considers that Neighbourhood Plans should set out policies covering the development and use of land. Any policy must be credible, justifiable and achievable. The Neighbourhood Planning Team or Steering Group should be responsible for drawing up the policies. They should need to be based on the work done during the previous stages of work. Careful consideration will need to be given to the policies needed to achieve the objectives you have already drafted.
- 4.4 There are a number of different types of policy that you may want to consider developing and including within your Neighbourhood Plan. These include:
- Policies that allocate specific sites for particular types and scales of development (e.g. residential, employment, retail etc).
  - Policies that provide specific requirements or criteria that have to be met (e.g. landscaping; location of open green space, assessments needed etc).

- Policies which specify sites to be protected or enhanced (e.g. environmental assets or areas of landscape character).
- Policies that are generic and apply to future development (e.g. local design policies, transport and access etc).

- 4.5 Whichever policies you choose to develop and include in your Neighbourhood Plan, they all need to be achievable and a clear idea will be needed about how they can be delivered. This is particularly important if sites are being identified. You will need to think about the timescale for delivering the policy, who will be responsible for implementing it as well as what resources might be needed. Site related policies will need to be drawn up in negotiation with the relevant landowners or site promoters.
- 4.6 As stated in paragraph 4.2, you will need to check whether or not the policies set out in the Neighbourhood Plan are in conformity with existing local planning policy set out in the North Lincolnshire Local Development Framework and other planning documents. It is recommended that you seek advice from the council’s Spatial Planning team, both in preparing the policies and checking conformity.

### SITE PROPOSALS MAP

- 4.7 If your Neighbourhood Plan includes site allocations or site-related policies, you will have to publish a map showing any proposed site locations and boundaries. In some cases town/parish councils and neighbourhood forums may have Ordnance Survey licenses and software, and so may already be able to produce and manipulate maps. However, if not there are other options available for having access to mapping which the North Lincolnshire Council can advise upon.

## SUSTAINABILITY APPRAISAL, STRATEGIC ENVIRONMENTAL ASSESSMENT & HABITATS REGULATIONS ASSESSMENT

- 4.8 Neighbourhood Plans are not required to have a Sustainability Appraisal undertaken on them. Under the Localism Act 2011, they are not classed as “local plans” or “development plan documents” like those prepared by the council. What is advisable is a review of the sustainability impact of a neighbourhood development plan, which could be necessary and useful for a lot of neighbourhood plans that are being produced to meet the basic conditions checked at examination. This does not mean that sustainability appraisals as used on local plans are required. It is good planning practice to check what the potential impacts of a planning policy will be on an area, helping to advise which potential options might be best; and doing this against the topics of social, environmental and economic impacts would make a lot of sense.
- 4.9 However, neighbourhood plans may still require a strategic environmental assessment (SEA) under the EU regulations. This will depend on the content of the neighbourhood plan. It is a very good idea for the local authority to undertake an early SEA screening of the plan to highlight if a SEA will be required. If it is required, it needs to form part of the document that is consulted on. The local authority is required to undertake the SEA screening and there is advice available on undertaking an SEA screening.
- 4.10 Habitats Regulations Assessment, or HRA for short, is similar in principle to the SEA. This specifically considers the wider impacts of particular emerging policies and plans on European sites of ecological importance within the area. In North Lincolnshire this may be relevant to some Neighbourhood Plans, particularly if the neighbourhood area is adjacent to the Humber Estuary/River Trent and Crowle Moors.
- 4.11 The SEA and HRA do not necessarily need to be complicated tasks. North Lincolnshire Council can provide you with advice on these processes. It is recommended that you contact the council’s Spatial Planning team at an early stage in the process to ensure that we can provide you with as much advice as possible.

## PREPARING AN IMPLEMENTATION PLAN

- 4.12 An implementation plan is a useful way of showing what actions are needed to deliver the policies of your Neighbourhood Plan. It does not necessarily need to be part of the plan – it could be a separate document or an annex to the plan, that you can update as actions progress or new ones emerge. Any actions set out in the implementation plan need to be SMART (Specific, Measurable, Achievable, Realistic and Timely). In drawing up actions, you will need to give careful consideration to the level of priority given to each of them, the person or organisation who should be responsible for delivering them, the timescales for delivering them, and what resources will be needed.

## FINALISING THE NEIGHBOURHOOD PLAN

- 4.13 Once you have completed all the initial community involvement, drawn up the vision and objectives, prepared the policies and implementation plan, you will now be in a position to finalise the plan. There are no hard and fast rules as to what your plan should look like. However, it is recommended that it should be easy to read and understand with clear policies and maps (where needed). At this point you will need to produce a report on the Sustainability Appraisal and Habitat Regulations Assessment (if needed). Advice is available from North Lincolnshire Council on this.
- 4.14 It is also recommended that once your draft plan is completed, you conduct a quick check on its conformity with existing local planning policy set out in the Local Development Framework or other planning documents. You should then undertake a consultation exercise on the draft plan with the local community and other stakeholders that you think need to be involved. It is advisable for you to consult with neighbouring town/parish councils or neighbourhood forums as your plan may have implications for them. When you receive comments, you will need to analyse what is being said and consider whether any amendments need to be made to your Neighbourhood Plan before you submit it to North Lincolnshire Council ready for examination.
- 4.15 Once you submit your Neighbourhood Plan to North Lincolnshire Council, we will publish it along with the required supporting information for a six week consultation with those living, working and carrying on business in the plan area. Before this we will check that all requirements for undertaking the plan have been met. However, we

will not check the merits of the plan until after the examination.

- 4.16 Up until this point all costs will have been borne by the community developing the plan. From this point onwards the costs are borne by North Lincolnshire Council.

## 5 STEP 4: INDEPENDENT EXAMINATION

- 5.1 After finalising your plan and undertaking a final consultation on its contents you will need to submit it to North Lincolnshire Council. The plan will be checked to ensure the preparation procedures have been followed correctly and the council will then arrange for an independent examination of the document by an examiner.
- 5.2 The examiner will be appointed by North Lincolnshire Council, with agreement of the Neighbourhood Planning Team/steering group. The council will bear the cost of the examination. The purpose of the examination is to check the conformity of your Neighbourhood Plan with:
- The strategic content of the LDF – the Core Strategy and other adopted documents
  - The National Planning Framework and/or other national guidance
  - European Directives
  - National and International Designations
  - Any Neighbourhood Plans for neighbouring areas.
- 5.3 It is likely that the examination will be conducted by written representations rather than holding hearing sessions. However, this is at the discretion of the Examiner. Should he/she decide to hold hearing sessions, these will need to be held in public.
- 5.4 Once the examination is completed, the Examiner will produce his/her report. This will be sent to North Lincolnshire Council, who will publish it on-line, and the Neighbourhood Planning Team/Steering Group. The Examiner's report will contain one of the following recommendations:
- That the draft plan should proceed to a referendum
  - That the draft plan should proceed to a referendum subject to certain amendments
  - That the draft plan should be refused
- 5.5 Once the report is published the council will need to consider whether or not the Examiner's recommendation should be taken on board. The council will notify you of its decision and publish its decision.

## 6 STEP 5: REFERENDUM

- 6.1 Should the council agree that your draft plan can proceed to a local referendum, we will co-ordinate and fund this part of the process. The referendum will normally be open to any individual registered to vote in the area covered by the Neighbourhood Plan. However, it should be noted that the Examiner in his/her recommendations may decide the referendum should be extended where plan policies have implications for surrounding communities. A simple majority i.e. more than 50% of those voting is required for the referendum to be successful. Your plan will then be adopted by North Lincolnshire Council.
- 6.2 The Government published separate Regulations in relation to holding a referendum, including minimum attendance in August 2012.



## 7 STEP 6: ADOPTION

- 7.1 Once your Neighbourhood Plan is adopted it will become part of the development plan for North Lincolnshire alongside the Local Development Framework for the area. It will then be used in making decisions on planning applications in your neighbourhood area.

## 8 IMPLEMENTING & MONITORING THE PLAN

- 8.1 Once the Neighbourhood Plan has been adopted, it becomes a part of the statutory development plan for North Lincolnshire against which relevant planning applications will be determined. Applications can occur at any time, but the Neighbourhood Planning team will wish to ensure that activity on the ground is progressed, in order to hasten any developments and meet the objectives of the Neighbourhood Plan.
- 8.2 Even with a Neighbourhood Plan in place however, it is still North Lincolnshire Council who determine the planning application, however it will do this in accordance with the North Lincolnshire Local Development Framework and any Neighbourhood Plan covering that area. Both the North Lincolnshire LDF and a Neighbourhood Plan will have the same 'weight' in making a decision.
- 8.3 The town/parish council (or standing committee thereof) or neighbourhood forum will find it valuable to monitor the Neighbourhood Development Plan and associated implementation plan, to check progress in terms of meeting the community's objectives and to identify if future reviews of the Plan are needed. If certain actions require the input of external partners (e.g. landowners, developers, North Lincolnshire Council) then the parish/town council will want to ensure that named contacts in these organisations are able to help progress the work that is outlined, in the time required.
- 8.4 The Neighbourhood Development Plan will need to state what time period it covers, and this should be a decision for each community that produces one. However, as each plan will (if suitable) be adopted within the North Lincolnshire LDF, it would seem prudent to follow the time period of other Development Plan Documents produced by the North Lincolnshire Council. At the moment this is up to 2026.
- 8.5 However, this does not mean that a parish/town council or neighbourhood forum should not be able to refresh its Neighbourhood Plan if the need arises before that time. Nevertheless, it is likely that

the process for a refresh of the plan will need to include further consultation, an examination and referendum.

# 9 NEIGHBOURHOOD DEVELOPMENT ORDERS & COMMUNITY RIGHT TO BUILD ORDERS

9.1 As mentioned at the start of this guide, the Localism Act 2011 also allows for communities to create to distinct type of development orders - Neighbourhood Development Orders (NDOs) or Community Right to Build Orders (CRBOs).

## NEIGHBOURHOOD DEVELOPMENT ORDERS

9.2 Neighbourhood Development Orders (NDOs) allow local communities the chance to grant planning permission for certain types of uses in a defined neighbourhood area. They could be used for a development on a specific site or for particular classes of development such as homes or offices. Essentially, an NDO will remove the need for developers to apply separately for planning permission to the council for the types of development set out in the order.

9.3 Local communities can decide to draw up an NDO as a separate entity or alongside a Neighbourhood Plan. However, as with Neighbourhood Plans, NDOs must follow some ground rules. Firstly, they must be generally in line with local and national planning policies and other appropriate laws. Secondly, they cannot be used to block development, if the council's local plan considers that an area needs to grow, but they can influence the type, design, location and mix of new development.

9.4 Often it is a good idea to link a Neighbourhood Development Order with a Neighbourhood Plan. For example, the plan could identify the need for a local shop and a broad location. The NDO could then apply a planning permission to a particular site or existing building where the shop will be built.

9.5 Broadly, the preparation process for an NDO is very similar to that for Neighbourhood Plans. A similar process must be followed in identifying a neighbourhood area to be covered by the Order and in determining who the appropriate organisation is to prepare it. Once drafted the

Order must be passed to North Lincolnshire Council, who will check that it has been properly consulted on, and that the development does not need an Environmental Impact Assessment. Then the NDO will be assessed by an independent Examiner, who will check that it conforms to national and local planning policies, (including a Neighbourhood Plan if one exists for the area). The independent Examiner will also check that the NDO would not damage local heritage assets. If the independent Examiner approves the Order, then a local referendum on whether the NDO should be adopted will be held. If a majority i.e. more than 50%, vote in favour of the NDO in the referendum, then it will come into force.

## COMMUNITY RIGHT TO BUILD ORDERS

9.6 Community Right to Build Orders (CBROs) are a specific form of development order. Unlike Neighbourhood Plans and/or Neighbourhood Development Orders, they do not necessarily have to be prepared by a town/parish council or a neighbourhood forum. They can be prepared by any local community groups, provided that they are properly constituted and met the eligibility criteria for designation as a Community Right to Build Organisation. To be eligible a community organisation must have at least 10 members all whom live in the neighbourhood area but in separate homes. The organisation must also exist to further the economic, environmental and social well-being of the area in question, and any profits made as a result of community right to build orders must be distributed among the organisation's members.

9.7 These orders allow local community groups to bring forward a small development for one or more purposes, including new homes, businesses and community facilities on a specific site, but it must be small scale in comparison to the size of settlement. However, it cannot be used to expand the size of communities by more than 10 per cent over a 10 year period.

- 9.8 Community Right to Build Orders will be adopted in the same way as Neighbourhood Development Orders, where subject to the Order meeting certain minimum standards a local referendum will ultimately decide whether the proposed development should go ahead. There must be more than 50% of voters in support of the proposal held in a referendum for the order to be adopted.

# 10 SUPPORTING YOU IN PREPARING YOUR NEIGHBOURHOOD PLAN

10.1 In preparing your Neighbourhood Plan, it is very likely that you will need some help and advice. North Lincolnshire Council can provide you with the following advice:

- General advice on how to get started
- Advice on planning community and stakeholder engagement
- Advice with some of the technical, planning-related aspects
- Signposting to relevant contacts within other council services
- In-kind support through the provision of materials (maps, display boards etc)
- Funding the examination and referendum

10.2 If you have any queries please contact:

10.3 Spatial Planning  
Planning & Regeneration  
Places Directorate  
North Lincolnshire Council  
Civic Centre  
Ashby Road  
Scunthorpe  
DN16 1AB

10.4 E-mail: [spatial.planning@northlincs.gov.uk](mailto:spatial.planning@northlincs.gov.uk)

10.5 As well as contacting the council, there are other organisations which can help you or provide information about Neighbourhood Planning. These include:

- Planning Advisory Service (PAS) – [www.pas.gov.uk](http://www.pas.gov.uk). Established by the Local Government Association (LGA), PAS provides advice and support to local planning authorities to assist them in delivering services. They have produced some advice on Neighbourhood Planning based on existing experience with those areas chosen to be frontrunners.

- Department for Communities & Local Government (DCLG) – [www.communities.gov.uk](http://www.communities.gov.uk). DCLG are the central Government department responsible for the planning system in England and are leading on the delivery of Neighbourhood Planning. They have prepared some information and guidance on Neighbourhood Planning which should assist you in deciding whether or not to prepare a plan and how to go about it. They are also sponsoring a number of front runner projects for Neighbourhood Plans across England. It may be useful for you to look at these projects to gain an understanding of how the process may work.

10.6 With regard to funding Neighbourhood Planning, the Government realises that it will impose costs, opportunities and benefits on local councils, town and parish councils, communities and other key partners. It is committed to providing £50 million until March 2014 to support local councils in making neighbourhood planning a success.

10.7 The Government is also looking at what support can be made directly available to town and parish councils and communities more generally to help support neighbourhood planning activities.

10.8 To ensure communities have the right support and advice to meet their aspirations, in April 2011 the Government announced four organisations, with renowned expertise in planning, who will share a £3.2m fund to provide assistance to local groups developing neighbourhood plans. These are:

- Princes Foundation – assistance with community engagement and finding solutions to local issues. Web: [www.princes-foundation.org](http://www.princes-foundation.org)
- Locality – provision of support and networking to community groups through on-line resources, and other networking tools, practical workshops and seminars, and tailored advice through a telephone advice line. Web: [www.locality.org.uk](http://www.locality.org.uk)

- Campaign to Protect Rural England & National Association of Local Councils – provision of basic information about the planning system via a website, phone line and publications. Establishing a programme of local events to inform the public and parish councils about how to influence local plans. Web: [www.cpre.org.uk](http://www.cpre.org.uk)
- Royal Town Planning Institute – via the Planning Aid service, the provision of free, independent, impartial, professional planning advice to people who do not have the means to pay professional fees. Provision of support and training to local communities to influence and contribute to planning strategy, policy and decisions-making at all levels. Web: [www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid)

# 11 ANNEX A: CONSULTATION BODIES FOR NEIGHBOURHOOD PLANS

11.1 Please note consultation bodies are different for Neighbourhood Development Orders and Community Right to Builds. Please see the Neighbourhood Planning Regulations for this.

- North Lincolnshire and all adjoining town/parish councils
- Coal Authority
- Homes and Communities Agency
- Natural England
- Environment Agency
- Historic Buildings and Monuments Commission for England (known as English Heritage)
- Network Rail Infrastructure Limited
- Highways Agency
- Marine Management Organisation
- Electricity suppliers
- Primary Care Trusts
- Gas Suppliers
- Sewerage and waterworks undertakers
- Voluntary bodies e.g. village societies or local groups
- Representations from different religious groups
- Interested persons (i.e. individuals)
- Interests of disabled persons

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