

# Neighbourhood Planning

Technical Information Note 04/2016

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This Technical Information Note is intended to provide members of the Landscape Institute with general information on the background to neighbourhood planning and how they might expect to be involved in the preparation of neighbourhood plans.

## 1. Introduction

- 1.1 In 2010, the Conservative party's election campaign was focussed on building the 'Big Society'. One of the key concepts of this ideology was to give more power to local people to make decisions about the places where they live and work. The Localism Act 2011 which followed transformed planning policy in England. Regional Spatial Strategies were abolished along with regional government and a new tier of plan making was introduced. Neighbourhood planning is intended to supplement local planning policy, but is led by local people..
- 1.2 According to the Department of Communities and Local Government (DCLG), 127 neighbourhood plans had been adopted as of the end of March 2016 (DCLG, 2016). However, there are nearly 1,700 groups at some stage of making a neighbourhood plan and potentially many thousands more yet to be established. It is likely this will become an important area of work for landscape architects.
- 1.3 This Technical Information Note (TIN) is intended to provide members of the Landscape Institute with general information on the background to neighbourhood planning and how they might expect to be involved in the preparation of neighbourhood plans.

## 2. Planning context and neighbourhood plan process

- 2.1 The government considers neighbourhood plans to be a key tool in delivering growth, particularly in addressing the shortage of homes. They can cover a broad range of planning issues, including housing, transport, community infrastructure, employment and the environment, including parks and green spaces.
- 2.2 The government does not dictate where a neighbourhood plan is required or what area it should cover. Depending on the location, the development of the plan may be led by a town or parish council, or by a group of local people coming together with a common purpose. In urban areas, neighbourhood forums may be established. The group or forum which leads the plan is known as the qualifying body (hereafter group). The geographical scale and complexity of the plan depends on what is agreed and the area consequently designated by the local planning authority (LPA). They can range from small rural parishes or settlements to large urban areas and comprise places with little capacity to change or areas where there is an existing commitment to accommodate change.
- 2.3 When brought into force, a neighbourhood plan becomes part of the development plan for the area. It must conform to the National Planning Policy Framework (NPPF) and, if there is one, the policies set out within the adopted Local Plan. If a new Local Plan is in preparation the LPA should work with the group to produce complementary neighbourhood and Local Plans (DCLG, 2015). Neighbourhood planning is about shaping the development of a local area in a positive manner. Neighbourhood plans cannot be used as a tool to stop new development, promote less development than set out in the Local Plan or undermine its strategic policies (PAS, 2016a).
- 2.4 As with Local Plans, the policies within neighbourhood plans must be able to withstand the scrutiny of planning inspectors, potential objectors and developers. Proportionate, robust evidence should support the choices made and the approach taken. The intention and rationale behind the policies within the neighbourhood plan should be explained succinctly, drawing upon this evidence (DCLG, 2014a).
- 2.5 Before they can be adopted, neighbourhood plans must also be reviewed by an inspector and accepted by the public. There are three main steps in delivering a neighbourhood plan:
- Establish a group or forum and get the area designated by the local planning authority;
  - Write the plan and consult on it;
  - Submit the plan to the LPA, independent examination and public referendum.
- 2.6 In addition to Neighbourhood Plans, the Localism Act 2011 also gave the following additional powers to groups:
- **Neighbourhood Development Order (NDO)** - grant automatic planning permission for specific types of developments in a neighbourhood area;

- **Community Right to Build Order (CRtBO)** - a type of NDO which can be used to grant outline or full planning permission for specific development which complies with the order, such as homes, community facilities or playgrounds.
- 2.7 Parishes with an adopted neighbourhood plan will receive 25% of any Community Infrastructure Levy (CIL) arising from developments in their area compared to parishes without a neighbourhood plan, which will receive 15% (DCLG, 2014b).
- 2.8 Links to further information on the neighbourhood planning process can be found in the resources section of this note.

### 3. How might a landscape architect be involved?

- 3.1 Landscape architects are well placed to assist in the preparation of neighbourhood plans, either as consultants working on behalf of groups or as active members of groups themselves. The knowledge and experience required are very similar to working with LPAs in the preparation of assessments which form the evidence base for planning policy documents, for example landscape or townscape character assessments, landscape sensitivity and capacity assessment, green infrastructure studies or conservation area appraisals. However, time to engage with non-professionals and members of the public with in-depth local knowledge and interests may well be needed, and this needs to be considered when preparing fee proposals and setting programmes.
- 3.2 The information communicated will typically need to be understandable by a wide audience, whilst also withstanding the rigours of examination. Typically plans and policies are written in plain English, avoiding statements or the presentation of data that could be misinterpreted or challenged. Evidence base documents are fact-based, objective and independent and the limitations of any data used are clearly described. Where professional judgement is required it is set out in a transparent way.
- 3.3 A landscape architect may be commissioned to undertake a specific piece of work or may adopt the role of a facilitator or advisor, providing guidance on where to find information and how to undertake local surveys, rather than undertaking the work themselves. They may also be asked to review the findings of assessments and assist in integrating landscape matters into policies.
- 3.4 Areas of work which a landscape architect might expect to cover include: Landscape/townscape character assessment; Landscape capacity studies; Green space needs assessment; masterplanning and design codes; Sustainability appraisal (SA); and Strategic Environmental Assessment (SEA).

#### 3.5 ***Landscape capacity studies***

These studies may be requested for rural settlements or urban edges in areas with high growth and development pressure to help establish where different types of development might be accommodated. Furthermore, they might set out what aspects of a surrounding landscape perform a valued function as the setting to a settlement and why. Current guidance includes:

- Guidelines for Landscape and Visual Impact Assessment, 3<sup>rd</sup> Edition (LI and IEMA, 2013)
- An approach to Landscape Character Assessment (Natural England, 2014)

There may also be recent capacity studies which reflect best practice and have developed specific criteria for determining sensitivity and capacity. This type of work can help groups determine their preferred sites for development backed up by the detailed analysis this type of work can provide.

### 3.6 ***Green space needs assessment***

The NPPF requires that planning policies related to green space provision are based on robust and up-to-date assessments of need. The expectation is typically that these assessments identify specific needs and quantitative or qualitative deficits or surpluses in the local area. This information is often available from the LPA, but may be out of date, incomplete or not sufficiently detailed to support neighbourhood plan policies. It may therefore be necessary to re-examine or supplement the available evidence to demonstrate needs within the plan area. Whilst Planning Practice Guidance note 17 has been revoked, its companion guide may be helpful:

- Assessing needs and opportunities: a companion guide to PPG17 (DCLG, 2002)
- Green space funding (Locality, 2016a)
- Assessing needs and opportunities guidance (Sport England, 2014).

### 3.7 ***Masterplanning and design codes***

In cases where a group has identified a site or group of sites which are suitable for development, a landscape architect may be appointed to prepare a masterplan or contribute to a vision statement or development brief. A masterplan to support a neighbourhood plan typically balances the need to conserve and enhance valued qualities of an area with opportunities for regeneration and growth. A range of engagement techniques may be appropriate, including workshops, charrettes and guided walks. This may require the support of town planners and engagement specialists.

Design codes may be helpful where evidence gathered in the preparation of the neighbourhood plan (for example a character study) has identified specific aspects of design which should be reflected in future development. A landscape architect might be asked to prepare guidelines which set out broad design principles or more prescriptive specifications and details in the form of design codes. Such codes might set out the scale, mass and orientation of buildings with respect to site boundaries or the layout of streets. They may also specify the arrangement of doors, windows and roof lights, for example, or the type and quality of materials used. This work may require the support of an architect or a specialist in building conservation where codes relate to alterations to buildings of historic interest. Guidance which may be helpful includes:

- Design in neighbourhood planning (Locality, 2016b)

### 3.8 ***Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)***

There is no legal requirement for a neighbourhood plan to have a SA but this may be helpful in demonstrating how it will contribute to achieving sustainable development. Where a neighbourhood plan is likely to lead to significant environmental effects, SEA may be required. Where this is a risk, the group may have already sought a screening opinion from the LPA. If SEA is required, a landscape architect may be required to assist in the assessment of reasonable alternatives, which is closely linked to site options, or contribute to the

Environmental Report. This is a specialist area of work and is likely to be led by an environmental or sustainability consultant. The following guidance may be helpful:

- Strategic environmental assessment and sustainability appraisal (DCLG, 2014c)

## 4 Resources

4.1 The government does not provide direct support to groups in the preparation of neighbourhood plans but there are a variety of resources available, including grant funding.

### **General guidance**

4.2 A range of general and specific neighbourhood planning guidance is available in addition to the various technical references given above. The most comprehensive archive of supporting documents is provided by Locality, a network of community-led organisations, through the My Community website (<http://mycommunity.org.uk/>). General guidance available here which gives a more detailed overview of the neighbourhood planning process includes:

- Neighbourhood Planning Roadmap (Locality, 2016c)
- Keeping it simple (Locality, 2014a)
- Writing planning policies (Locality, 2014b)
- Quick Guide to Neighbourhood Planning (Locality, 2012)
- A guidance note for preparing neighbourhood plans (Touching the Tide, 2015)

4.3 Locality provides an advice line (0300 020 1864 - Monday –Friday, 9.30am – 12.30pm) and support the My Community Network (<http://www.justact.org.uk/forums/>) provides a platform for groups to share information and knowledge.

4.4 The Planning Advisory Service (PAS) (<http://www.pas.gov.uk/>) also provides a range of guides, tools, templates and case studies. These resources are intended to help local authorities to support neighbourhood planning but are also a helpful resource to groups and consultants, particularly the advice on evidence (PAS, 2016b).

4.5 The Royal Town Planning Institute (RTPI) and Planning Aid England (PAE) provides support to neighbourhood planning through web based guidance and templates (RTPI, 2016). It also hosts the Forum for Neighbourhood Planning (<http://www.ourneighbourhoodplanning.org.uk/>).

### **Grant funding**

4.6 DCLG provides grant support through Locality to groups to help them develop and consult on their neighbourhood plan. There are currently two main types of grant available: Neighbourhood Planning Grant and Technical Support.

4.7 Neighbourhood planning grant - grants of up to £9,000. Groups facing complex issues are also be eligible to apply for a further grant of up to £6,000. These grants can be used to pay for a range activities or outputs, such as training, public consultation, venue hire and consultancy.

4.8 Technical Support - this is only available to groups assessed to be facing complex issues and therefore a priority for support, such as groups promoting high growth, in deprived areas or with complicated governance. Forums are automatically deemed to be a priority. If the

application is successful, this technical support is provided free and in addition to the neighbourhood planning grant. Technical support currently available includes:

- Forum development
- Facilitation
- Housing needs assessment
- SEA
- EIA
- Habitats Regulation Assessment
- Heritage and character assessment
- Site options and assessment
- Neighbourhood Masterplanning
- Design and design codes
- Evidence base and policy review
- Plan viability and health check

Eligible groups are not restricted to one package of technical support and may make multiple applications.

After reading the relevant guidance, groups make an application through the My Community website ([http://mycommunity.org.uk/programme/neighbourhood-planning/? a=funding](http://mycommunity.org.uk/programme/neighbourhood-planning/?a=funding)).

### **Maps and data**

- 4.9 A wide choice of freely available mapping and data is available to support neighbourhood planning at no or low cost. Ordnance Survey Open Data includes a range of digital maps from 1:10k to 1:250k in various GIS formats alongside digital terrain, post code and gazetteers (<https://www.ordnancesurvey.co.uk/opendatadownload/>). The Environment Agency has also recently released detailed Digital Terrain Models and Digital Surface Models of much of England, which provide a high level of accuracy (Ref.). Other sources of GIS data include the National Heritage List for England, which includes a full catalogue of listed buildings and other heritage assets (<https://historicengland.org.uk/listing/the-list/data-downloads/>).
- 4.10 Data from the 2011 Census is available to download and process from the Office for National Statistics (<https://www.ons.gov.uk/census/2011census>). In addition, the English indices of deprivation 2015 provides a snapshot which is helpful in highlighting action areas for policies on improving health through the introduction of new green space, for example (<https://www.gov.uk/government/statistics/english-indices-of-deprivation-2015>).

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