

Neighbourhood Development Plan FAQs

This document is intended to provide the answer to some frequently asked questions associated with the development of a Neighbourhood Development Plan. This document will be amended and extended as new questions arise.

How are Neighbourhood Development Plans Prepared?

Neighbourhood Development Plans are prepared through a formal process including a public consultation and an assessment by an independent examiner. They must also be agreed at a local referendum before they can be adopted. Further information on the preparation of neighbourhood development plans can be found on the Clifford Chambers and Milcote Neighbourhood Plan website www.ccandm.org

Will my area definitely be covered by Neighbourhood Planning?

Neighbourhood planning is optional. Where a Parish Council exists, they are regarded as the “Qualifying Body” who must agree the proposal to develop a neighbourhood plan. This is the case for Clifford Chambers and Milcote. Where a Parish Council does not exist, there is a requirement for a minimum of 21 residents to apply to the Local Planning Authority (LPA), in our Stratford District Council, for permission to set up a Neighbourhood Forum. This is not the case for Clifford Chambers and Milcote.

What is the difference between a Neighbourhood Plan and a Parish Plan?

Parish plans cover all things important to a community and are directly linked to the planning system as a material consideration. However, neighbourhood plans relate to the use and development of land and have a higher threshold of evidence which must be the subject of a public examination by an independent examiner. Once a neighbourhood plan has been found to be acceptable by an independent examiner it progresses to a referendum where it must secure a simple majority of those residents voting on the day to be adopted (referred to as “made”). The neighbourhood plan then becomes part of the formal development plan for the area and must be adhered to in the determination of planning applications.

How does a Neighbourhood Plan link with other planning policy?

Neighbourhood development plans are the first plans developed at a parish council level that will have legal force. They will form part of Stratford District Councils statutory planning documents and are required to be consistent with the policies and targets included in the Core Strategy.

What does a Neighbourhood Plan actually involve?

They can include policies for any aspect of land use planning as long as they are in general conformity with the National Planning Policy Framework (NPPF), the strategic policies of the adopted development plan for the District, and must be compliant with relevant EU legislation. They should not be seen as being just about housing, their content will depend on the land use issues that are important to the local community.

Neighbourhood Plans are, however, about shaping the development of an area in a positive manner. They should not promote less development than set out in a Core Strategy or undermine its strategic policies. However, they may be more prescriptive in specifying the type and design of housing plus their preferred location. In addition, there can be statements about the requirements for open spaces, traffic flow and parking, along with any other issues considered to be of importance to residents. Neighbourhood Plans when adopted, will form part of the development plan for the area, which will be used to determine applications alongside the appropriate planning documentation used by Stratford District Council.

Where can I find more information about Neighbourhood Planning?

More information on neighbourhood planning can be found on the neighbourhood planning portal of the Stratford District Council web site at www.stratford.gov.uk/planning/neighbourhood-plans-faqs.cfm Alternatively, you can look at the Clifford Chambers and Milcote Neighbourhood Plan web site at www.ccandm.org

Are existing Parish Plans and Village Design Statements still valid?

Yes. Parish plans or Village Design Statements remain one of the tools communities can use to deliver on their ambitions.

Can we do a Neighbourhood Plan for just part of a parish?

Typically, the whole parish area is contained within a single neighbourhood plan. However, if it is deemed appropriate for only part of the parish to be covered then any development in areas outside the neighbourhood plan will continue to be determined by the strategic policies of the Stratford District Council Core Strategy alone.

What if a community wants to do a Neighbourhood Plan but the parish/town council doesn't?

A parish council will be encouraged to fully engage its local communities in all stages of the development of a plan. Ultimately however, the legislation states that only a parish or town council can prepare a neighbourhood plan in its capacity as the "Qualifying Body". Fortunately, in the case of Clifford Chambers and Milcote, we have a very supportive Parish and District Council. In fact, due to the high number of neighbourhood plans that have been initiated within the Stratford District, the Council have appointed Matthew Neal as the Support Officer to coordinate the development of neighbourhood plans with our District. He can be contacted on matthew.neal@stratford-dc.gov.uk

Can a Neighbourhood Plan cross ward, parish or the county boundaries?

Yes - neighbourhood areas can be defined to include adjoining parishes or parts of parishes from different wards if this is deemed logical and appropriate. Agreement is needed from all parishes involved and the final referendum will need to include all the electorate contained within those parishes.

How do you assess the appropriate area for the neighbourhood development plan?

The parish council needs to apply to Stratford District Council for a location to become designated as a neighbourhood area for neighbourhood planning purposes. Stratford District Council will seek feedback from residents over a period of 6 weeks before agreeing to designate the proposed area unless it has valid planning reasons to identify a revised neighbourhood area. SDC have agreed Clifford Chambers and Milcote Parish designation as a neighbourhood area for neighbourhood planning purposes

Does our neighbourhood development plan have a name?

Yes. It is called Clifford Chambers and Milcote, which mirrors exactly the Parish.

How do you work out what in a Neighbourhood Development Plan is in general conformity with the strategic policies?

The Stratford District Council Support Officer, Matthew Neal, will advise parishes on issues relating to general conformity. Policies within the neighbourhood development plan which follow the general principle of the strategic policy and national policy will be seen as being in general conformity.

Do Neighbourhood Development Plans need to be based on evidence?

Parish/Town councils will need to use appropriate, proportionate and up-to-date evidence to support the policies included in a proposed neighbourhood development plan. This must be based on extensive consultation with the community covering residents, organisations, businesses and land owners. Early engagement with the Stratford District Council Neighbourhood Plan Support Officer is encouraged to ensure conformity with District policies and to identify any the need for any strategic environmental assessments plus sustainability appraisals.

If a Neighbourhood Development Plan allocates sites for development can a land owner object at examination if his site is not allocated?

There will be the opportunity for all members of the community that feel unduly affected by proposals to make representations at the independent examination. The general rule is that examinations will be by written representations, although examiners have the ability (indeed, have the duty) to hear oral representations, where necessary. This is to ensure adequate examination of issues and to ensure that a person has a fair chance to put a case. However, early consultation and engagement with all members of the community and a clear and transparent procedure to allocate additional sites will help reduce objectors to the submitted plan and the need for lengthy examinations.

Do ward councillors have to be involved in any neighbourhood planning for their area?

They don't have to be involved but members may play a key role and can help progress work significantly – remember it is the parish council that has the responsibility for the

production of the neighbourhood plan. In the case of our neighbourhood plan, we have representation by the Parish Council on the Steering Group.

Do parish councils make the final decision on all new development in their area if they have a neighbourhood plan?

The community leads on preparing the plan and setting out the policies for development in their area, but it is Stratford District Council that will continue to determine planning applications in accordance with those policies and be responsible for enforcing them.

Will parish councils be responsible for any appeals on decisions in the plan area and responsible for enforcement issues on new development in their plan area?

No. Stratford District Council will be responsible.

How can I resource neighbourhood planning work in my area?

The Clifford Chambers and Milcote Neighbourhood Plan Steering Group is already in place. If you would like to know more about the activities of this team, or may wish to become more involved in their work, then make contact through the website www.ccandm.org

How is the work of the neighbourhood plan funded?

The government has made provision for grant applications of up to £8000 to support the development on neighbourhood plans. This is coordinated through an organisation called Locality. Additional funding can also be secured through Direct Funding from the same organisation. Initial funding for activities up to 31 March 2016 has been applied for and received by the Parish Council

Isn't money available from the Community Infrastructure Levy?

The government has announced that 15% of the CIL collected must be transferred to the parish or council limited to a maximum of £100 per existing household. Alternatively, if the parish has an adopted Neighbourhood Development Plan this amount increases to 25% with no cap per household.