



# neighbourhood planning



A guide for Wiltshire's parish  
and town councils

June 2012



# Contents

The policy framework .....	1
What is neighbourhood planning?.....	3
Environmental and sustainability requirements for neighbourhood planning.....	7
Exploring the neighbourhood planning process.....	9
Where can we get further information and advice?.....	22
Glossary.....	23
Frequently asked questions .....	26

Please note that the information presented is based upon the most up-to-date information available at the time of publication (June 2012)



# The policy framework

The government has brought about significant changes to the planning system through the Localism Act 2011. These reforms seek to achieve a reduction in the volume, complexity and prescription of the planning system and ensure that communities are better able to benefit from development they welcome, with new homes matched by jobs and investment. The proposals are founded on the principles of localism, with less 'top-down' prescription and more 'bottom up' involvement by both planning authorities themselves, and by local people and businesses.

Under these reforms the proposed National Planning Policy Framework (NPPF) sets out the government's priorities for planning in England. It replaces many national planning policy guidance notes and statements with one comprehensive planning document and includes a presumption in favour of sustainable development. The regional tier of planning is also being abolished (except in London), including regional spatial strategies and their associated policies.

Neighbourhood planning is a new tier of the planning system which seeks to give communities more control over the future of their area.

Neighbourhood planning is intended to provide an opportunity to help change attitudes towards development through positive engagement by local communities. The government envisages that through new processes such as neighbourhood planning, communities can harness this 'new policy framework' to bring positive benefits from new development.

The Wiltshire Core Strategy will provide communities with a solid framework within which appropriate community-led planning policy documents, including neighbourhood plans, can be brought forward. However, neighbourhood planning is optional, not compulsory. As such the council will work closely with communities to plan successfully and cost effectively for their areas by helping to identify the approach that best suits the needs of each community. This document seeks to help communities in this decision making process and provide a guide on developing a neighbourhood plan.

'The presumption is not a green light for development. All proposals will need to demonstrate their sustainability and be in line with the strict protections in the draft framework. Strong environmental safeguards remain as part of the planning system, including protecting communities and the environment from unacceptable proposals. The presumption is principally about good plan making. Once a local plan is put in place, local decisions should be made in line with it.' National Planning Policy Framework: Myth-Buster, DCLG, 2011



The National Planning Policy Framework: Myth buster can viewed online at: [communities.gov.uk/documents/planningandbuilding/pdf/1984490.pdf](https://communities.gov.uk/documents/planningandbuilding/pdf/1984490.pdf)

'Neighbourhood planning is a new way for communities to decide the future of the places where they live and work.' An introduction to neighbourhood planning, DCLG, 2011



Planning policy documents (now known as 'local plans') are developed by local planning authorities such as Wiltshire Council. They must be based on clear evidence and assessments of needs, such as new housing provision, and are subject to comprehensive public participation and engagement. They must also be compliant with the requirements of the NPPF. Once adopted the Wiltshire Core Strategy will form part of the development plan for Wiltshire.

The Wiltshire Core Strategy is well advanced and has been developed to be compliant with the NPPF. The core strategy seeks to deliver an appropriate level of development across Wiltshire in a sustainable manner. Development proposals which are not in accord with the core strategy will be considered unsustainable.

Whilst many local planning authorities have a local plan in place, or in advanced stages of preparation, the government will require all authorities to ensure up-to-date compliance with the NPPF.

When there is no up-to-date local plan in place, the current proposals are that there will be a 'presumption in favour of sustainable development', with the presumption being that development will be allowed to proceed providing the development meets the policy requirements in the NPPF.

This guide is based, in part, on experience within Wiltshire and wider experience from organisations such as the Planning Advisory Service.

Neighbourhood plans can only be prepared by a 'qualifying body'. In areas where a parish or town council exists, these are the nominated qualifying body.



Photo courtesy of Prince's Foundation for Building Community

# What is neighbourhood planning?

Neighbourhood planning is a new way for communities to decide the future of the places where they live and work. The Localism Act introduces new permissive rights for local communities to prepare a neighbourhood plan, instigate neighbourhood development orders and exercise a community right to build.

**A neighbourhood plan** can establish general planning policies for the development and use of land in a defined neighbourhood area. The plan might specify, for example, where new homes and offices should be built, and what they should look like. The plan could also set a vision for the future, and can be detailed or general depending on what local people want.

**A neighbourhood development order** can directly grant planning permission for certain specified kinds of developments within a neighbourhood area. Permission could be full or outline, could have conditions attached and could be site specific or grant more generalised development rights across the neighbourhood area. Where people have made clear that they want development of a particular type, it will be easier for that development to go ahead.

The **community right-to-build** process is instigated by a 'community organisation' where the community decides to bring forward specific development proposals for the benefit of the community. This might include community facilities and affordable housing. Proposals which have the agreement of the local community through a 'community referendum', and meet minimum standards, will not need to go through the normal planning application process.

The process for preparing a neighbourhood plan, neighbourhood development order and the community right-to-build process are very similar. So although this guide refers to neighbourhood plans, much of the information presented is relevant to all neighbourhood planning processes.

'In the future, instead of being told what will happen to the cities, towns and villages they love, local communities themselves will have new opportunities to shape local development. They will be able to define, together, where new homes and businesses should go, and what they should look like.'

The Rt Hon Greg Clark MP,  
2011



There are 253 town or parish councils within Wiltshire. In many cases collaborative working with neighbouring parish and town councils will be beneficial to make best use of resources and to ensure that planning is undertaken at the right level. For example - plans which identify sites for development, in or adjacent to neighbouring parish or town councils, should consider reciprocal working arrangements.



If you want to get involved in the development of planning policy you are encouraged to sign up to the Wiltshire spatial planning contact database. You can register your details at: [consult.wiltshire.gov.uk](http://consult.wiltshire.gov.uk)



## Is neighbourhood planning compulsory?

Neighbourhood planning is optional not compulsory. It is important that communities do not make any assumptions at the start of this process about whether a plan is needed and what it should include as this could lead to abortive work and unnecessary costs.

Many different planning tools are available to help you meet your objectives. As such this guide seeks to help parish and town councils explore the different options available to help meet your communities' goals and aspirations. Alternative options include development briefs, village design statements and community plans. Deciding if you need a neighbourhood plan is one of the most important steps of the process.

## Who will lead on neighbourhood planning in Wiltshire?

Neighbourhood plans can only be prepared by a 'qualifying body'. In areas where a parish or town council exists, these are the nominated qualifying body. Outside these areas, neighbourhood planning can be undertaken by a designated 'neighbourhood forum'. In order to involve the community it is important that the plan is not prepared in isolation. There is a need to consider how to engage with the wider community as well as groups often described as hard-to-reach but which might have specific social needs which should be considered.

Wiltshire Council therefore advocates a steering group approach led by the qualifying body. Members of a group should include the parish or town council(s), other local stakeholders as well as members of the community. It is expected that a spatial planning officer will be an informal member of the steering group who will act as a 'link officer' to help perform the council's duty to provide support and advice.

It is important, however, that the plan is approved by the lead parish or town council(s) as the qualifying body as stated within the Localism Act 2011.

## How is development managed if we don't have a neighbourhood plan?

The Wiltshire Core Strategy sets the strategic policies for the whole of Wiltshire once adopted. This will remain the key document for determining development proposals.

The council's Statement of Community Involvement (SCI) details how Wiltshire's communities should be involved in developing planning policy and how the council expects developers to involve the community in development proposals.



## What is the role of Wiltshire Council?

Wiltshire Council has a number of roles to undertake in order to fulfil its duty to support. These include:

- confirming the geographical area of proposed neighbourhood plans
- providing expertise and advice to parish and town councils
- holding referendums
- adopting neighbourhood plans where all legal requirements have been met.

Wiltshire Council will also seek to provide informal guidance and support. This might include advice on legal considerations. We will also seek to provide practical support including advice on consultation arrangements and technical aspects of the plan, as well as the undertaking of sustainability appraisals. There is no requirement to provide financial support.

## What is the relationship between neighbourhood plans and the local plan?

The development plan sets out the statutory planning policies and proposals for the whole of Wiltshire.

Neighbourhood plans must be in general conformity with the development plan. It is important that communities work closely with Wiltshire Council when developing neighbourhood plans. Wiltshire Council will take an active role in advising and supporting local communities in their plan preparation by sharing evidence and information and ensuring the neighbourhood plan fits with the strategic policies of the Wiltshire development plan and national policy.

The Wiltshire Core Strategy Pre-Submission Document (February 2012) can be viewed online at: [wiltshire.gov.uk/planninganddevelopment/planningpolicy/wiltshirecorestrategy.htm](http://wiltshire.gov.uk/planninganddevelopment/planningpolicy/wiltshirecorestrategy.htm)

**'The duty to support: Where the promoters of a neighbourhood plan are able to demonstrate adequate local support for the proposed plan, the local planning authority will have a duty to provide advice or assistance on, for example, good practice in plan making, and conformity and consistency with national policy, EU law and local plans. They will also have a duty to provide practical support - e.g. facilitating community engagement, and helping with consultation with public bodies and landowners. There will be no duty on the local planning authority to provide financial assistance but it may do so if it so chooses.'** Localism Bill: neighbourhood plans and community right to build Impact assessment, DCLG, 2011



It is important to carefully consider the need for a neighbourhood plan. This should include exploring various alternative options. Reflection should be given to available resources and cost implications.



## What should a neighbourhood plan look like?

There are no set guidelines which describe what a neighbourhood plan should contain or look like. However, neighbourhood plans must conform to the development plan including the core strategy. The content of a neighbourhood plan is likely to contain a series of explanatory text, policies and maps. The policies and objectives of the plan must principally be related to the use of land and development. Neighbourhood plans may:

- identify local allocations for development – such as employment and residential uses – the core strategy for Wiltshire identifies the level of residential and employment growth
- outline specific requirements for local allocations – such as open space and community facilities
- include policies which relate to all development within the plan area - such as local design policies.

## How much work is involved in creating a neighbourhood plan?

The amount of work will be largely dependent on the content and scope of the plan. For example the neighbourhood plan could focus on a single issue such as identifying development sites in line with the core strategy. However, preparing a neighbourhood plan is likely to take a considerable amount of time and effort. Wiltshire Council estimates that it is likely, depending on its complexity, to take between 1-2 years to produce a neighbourhood plan. Local communities will need to make decisions along the way and work towards building a consensus.

## Who will pay for neighbourhood planning?

The cost of neighbourhood planning will be met in part by Wiltshire Council and partly by the parish and town councils which develop plans. The government has identified some financial support through the neighbourhood planning front runners scheme. The average cost of developing a plan is estimated by the government to be £17,000 and £63,000 per plan. The costs which will be incurred by Wiltshire Council for the examination is estimated to be between £5,000 and £8,000 and the costs of running a local referendum is estimated at £1.50/head (£7,000/ward). The costs that will have to be met by the 'qualifying body' may include preparing evidence, consultation and undertaking Sustainability Appraisal and printing / distribution costs.

# Environmental and sustainability requirements for neighbourhood planning

There are certain legal requirements to assess the environmental and sustainability effects of planning documents, including neighbourhood planning. Wiltshire Council currently carries out these requirements on plans within its Local Development Framework and can offer advice on whether and how they should be undertaken. The assessments undertaken include:

- Sustainability Appraisal (SA)
- Strategic Environmental Assessment (SEA)
- Habitats Regulations Assessment (HRA)

## **Sustainability Appraisal (SA)**

This requirement was introduced through the Planning & Compulsory Purchase Act 2004. It is an assessment of the social, environmental and economic effects of a plan, and 'reasonable alternatives' to the plan. It helps ensure that decisions are made that contribute to achieving sustainable development.

## **Strategic Environmental Assessment (SEA)**

Requirement for an environmental report under European Directive 2001/42/EC for plans which are likely to have significant environmental effects. It focuses on the significant environmental effects of a plan, and 'reasonable alternatives' to the plan, and is usually incorporated within the Sustainability Appraisal assessment.

## **Habitats Regulations Assessment (HRA)**

This is a requirement for plans that are likely to have a significant effect on European sites of nature conservation importance. There are a number of these sites within Wiltshire and this assessment establishes whether a plan will have an effect on the integrity of a European site.

**You should be aware that the above assessments should form an integrated part of the neighbourhood planning preparation process in order to influence the plan properly and to reduce the risk of any legal challenge at a later date. It should be transparent and open to public participation.**

Wiltshire Council's spatial planning team can advise on the need to undertake these appraisals and can provide ongoing support throughout the plan preparation. Wiltshire Council can also advise on the HRA process and whether it is needed for your particular neighbourhood plan.

Further information can be obtained on Sustainability Appraisal by looking at the Planning Advisory Service (PAS) website <http://www.pas.gov.uk/pas/core/page.do?pagelId=152450> which provides the official guidance. A useful guidance note has also been produced by planning consultants Levitt-Therivel and URS/Scott Wilson on Sustainability Appraisal of neighbourhood plans which can be viewed at <http://www.levett-therivel.co.uk/DIYSA.pdf>

# Exploring the neighbourhood planning process

## Getting started

This process will evolve as further legislation and guidance is produced by the government and as we learn lessons from the front runner projects and best practice. This approach is, therefore, based in part on earlier experience from Wiltshire and wider experience from organisations such as the Planning Advisory Service.

In Wiltshire, it will be the parish and town councils which will initiate and lead the process of developing a neighbourhood plan. However, it is important that the plan is not prepared in isolation from the rest of the community. There is a need to consider how to engage with the community as well as groups often described as hard-to-reach such as the young and elderly.

To achieve this, Wiltshire Council advocates a steering group approach led by the town or parish council. Members of a steering group could include local residents, community groups, local organisations and businesses. The parish or town council(s) should consider carefully the make-up of the steering group to ensure an adequate and fair representation of the local community.

In many cases, collaborative working with neighbouring parish and town councils might be beneficial to make best use of resources and/or to plan. This should be considered from the outset before any preparatory work is undertaken.

The steering group should be governed by a lead 'qualifying body' i.e. a parish or town council – or councils working in partnership with one another. The steering group will then be jointly responsible for managing the various stages the various stages of the process including scoping and delivery.

'A fundamental principle of neighbourhood planning is that it is community-led. This means that the community is kept fully informed of what is being proposed and is able to make their views known throughout the process.' Draft neighbourhood planning regulations, DCLG, 2011



Wiltshire Council wants to help communities to plan successfully and cost effectively for their areas and so first identifying the most appropriate approach is very important.



### Why plan?

Communities sometimes start by saying they want to produce a town or a neighbourhood plan. However, it is first important to consider why?

It is essential that communities do not make any assumptions at the start of this process about whether a plan is needed and what it should include.

Although there may be several stages to producing any particular type of plan, such as a neighbourhood development plan, we would suggest that in more simple terms there are two key stages. These are scoping and delivery.



Neighbourhood planning should be seen as just one of the options available to meet your objectives.

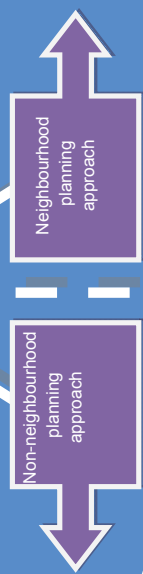
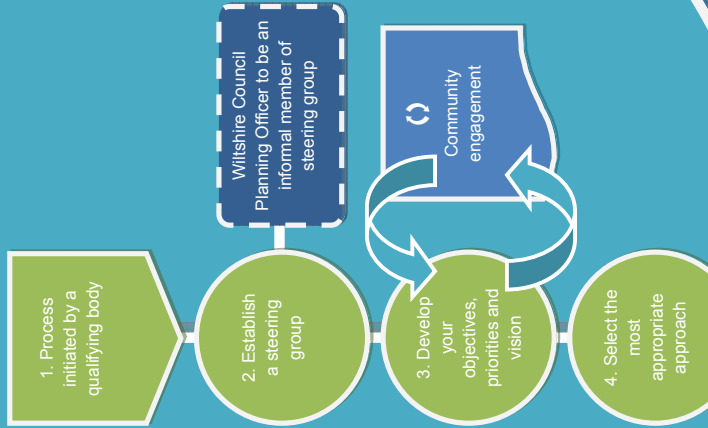


The scoping stage should be undertaken from the outset to help communities decide on the best course of action and the most appropriate approach to deliver their objectives.

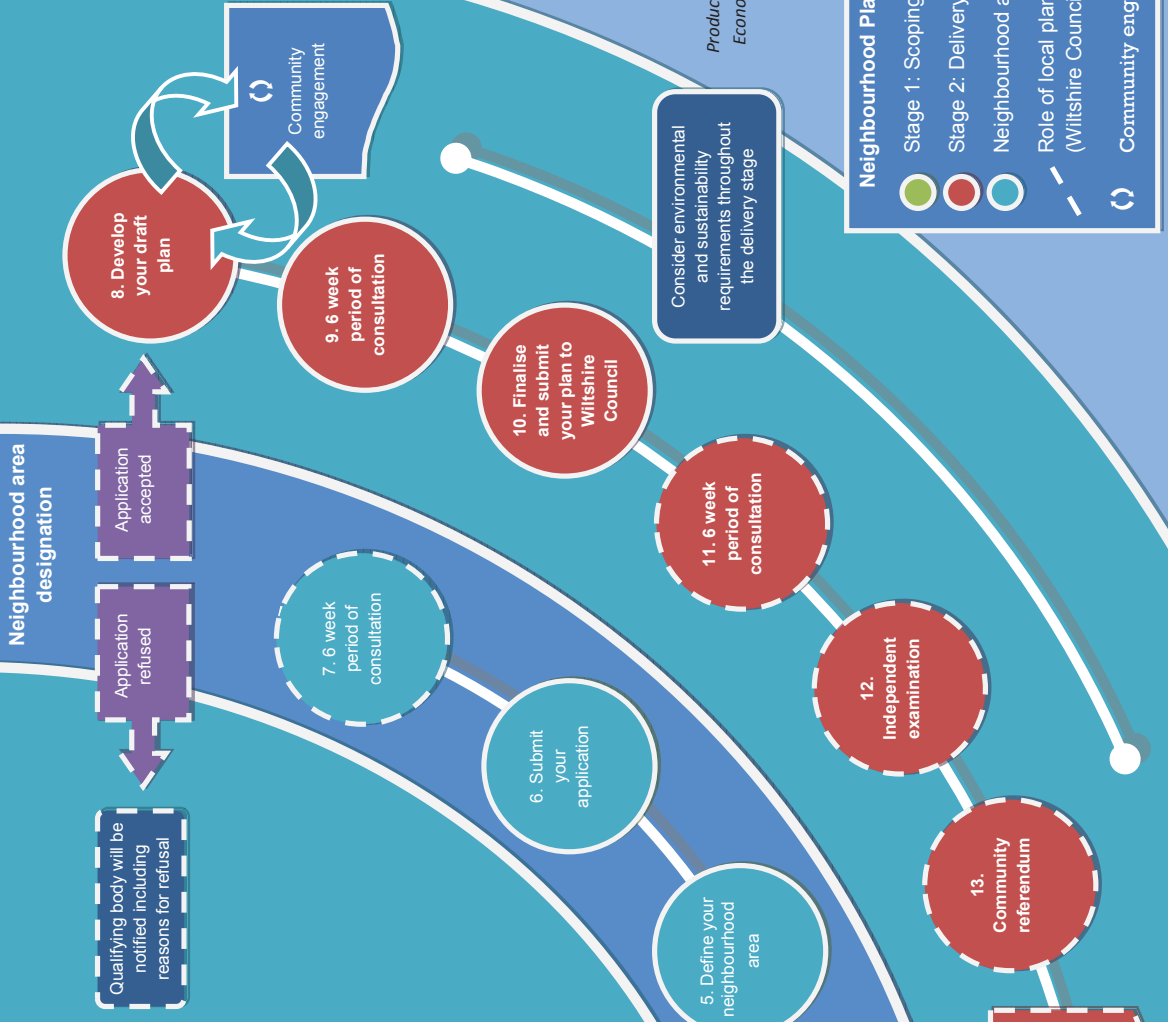
We anticipate that communities will want to carefully scope and identify their own priorities only to help establish the most appropriate approach. They will also want to look at what existing evidence is available for planning in the area.

The delivery stage involves implementing the actions identified in the scoping stage. Stage 2 should commence only once the scoping stage has been completed and when, after careful consideration, the steering group has selected the most appropriate approach to meet the identified objectives.

# Stage 1: Scoping



# Stage 2: Delivery



**Neighbourhood Planning Process**

- Stage 1: Scoping
- Stage 2: Delivery
- Neighbourhood area designation
- Role of local planning authority (Wiltshire Council)
- Community engagement

Produced by Wiltshire Council  
Economy and Regeneration

## ✓ Key stages

### Qualifying body role

1. Initiate process
2. Establish steering group
3. Request 'link officer' contact

### Wiltshire Council role

1. Allocate link officer

# Stage 1: Scoping

The scoping stage is used to identify the key issues of concern at an early stage in the process. The results of scoping will help determine the range, detail and terms of reference to be addressed by any subsequent neighbourhood planning approach. It is vitally important not to prejudge this stage. The most appropriate approach might be a 'non-planning' based solution (see 'select the most appropriate approach to deliver your vision and objectives' page 14).

The objective is to create a clear 'delivery plan' which will identify the most appropriate means of delivering the communities vision and subsequent objectives.

Although there is no prescriptive one-size-fits-all approach the scoping stage might include the following steps:

## 1. Process initiated by a qualifying body

Parish and town councils will lead neighbourhood planning in areas which include all or part of a parished area.

Outside parished areas, neighbourhood planning can be undertaken by a designated 'neighbourhood forum'. The forum should have a written constitution and should comprise a minimum of 21 people. All of the members should:

- live in the neighbourhood area subject to the plan
- work in the neighbourhood area
- be an elected member of a council body within which the plan area falls.

## 2. Establish a steering group

Wiltshire Council advocates a steering group approach when developing a neighbourhood plan. This should be led by the parish or town council(s) for the area being considered and also have wider representation from the community to ensure that there is a balance of interests so that social, environmental and economic interests are represented. This will help give confidence to local communities that the work is being taken forward by those providing a broad representation of the community as a whole.

The steering group will be allocated a 'link officer' to provide informal advice and support. The lead qualifying body should email neighbourhood.planning@wiltshire.gov.uk before the steering group is formed to be allocated an officer.



Clear terms of reference should be agreed at the outset. The group could reflect emerging best practice based around neighbourhood forums that is being used by the front runner projects. These are likely to be a requirement for producing a neighbourhood plan within Wiltshire.

Your steering group might include:

- local residents
- local business owners
- other key stakeholders including schools and religious or cultural groups.

At this stage you might want to consider how the steering group is going to consult with the wider community and begin to prepare an action plan and timetable for the following stages.

### 3. Develop your objectives, priorities and vision

Your neighbourhood vision will define what you want to achieve for your community today and in the future. It should be realistic, clear and inclusive.

In simple terms, the visioning stage can be summarised by the following three questions:

- Where are we now?
- Where do we want to be?
- How do we get there?

To answer these questions you might want to:

- gather information about your area
- assess your area's strengths and weaknesses
- draft a vision statement for your community
- identify a series of objectives.

The visioning stage is used to identify the key issues of concern at an early stage in the plan-making process. The results will determine the range, detail and terms of reference to be addressed by any subsequent approach. The objective is to create a clear vision which defines what you want to achieve for your community today and in the future.

#### ✓ Key stages

##### Qualifying body role

Administer and manage steering group

##### Steering group role

Establish terms of reference

Prepare project plan

Develop communications strategy

Develop your vision / objectives

##### Wiltshire Council role

Provide advice and support

## ✓ Key stages

### Qualifying body role

Administer and manage steering group

Steering group role  
Undertake wider community engagement on draft vision/objectives

Select the most appropriate approach

### Wiltshire Council role

Provide advice and support

## Community engagement (2)

Early endorsement of your objectives, priorities and vision with the local community will help gain support and consensus. You could consider talking to local residents, stakeholders and community groups. This stage is not a requirement of the draft regulations and therefore the scope of any consultation should be determined by the steering group. However, it is important to keep the local community fully informed of what is being proposed so they can make their views known throughout the process.

### 4. Select the most appropriate approach

Different actions and objectives will potentially require different approaches. Various planning tools are available to help meet your objectives (see below), or the approach may consist of a non-planning related approach. In some communities there may be several actions which require different approaches. Some of the approaches available include:

- town plan
  - planning application
  - master plan
  - development brief
  - local development order
  - area action plan
  - village design statement
  - community plan
  
  - **neighbourhood development plan**
  - **neighbourhood development order**
  - **community right-to-build order**
- } **Neighbourhood planning**

It is important to remember that the core strategy produced by Wiltshire Council contains a series of policies and proposals. These alone, or in conjunction with one, or several, of the non neighbourhood planning approaches above, will potentially deliver your communities objectives. Several of the approaches outlined above will require considerable less resource to implement. The scope of these approaches can also often be widened to include objectives which do not relate to the use of land and development.

# Neighbourhood area designation

## 5. Define your neighbourhood area

If a neighbourhood plan is considered the most appropriate approach to deliver your vision and objectives, the first stage is defining your neighbourhood area.

The steering group should consider the most suitable area to plan for. A large scale map of the area and a discussion with the steering group is a good place to start.

You might want to consider:

- the physical boundaries of the area
- social, economic and other characteristics of the area
- and most importantly interactions with neighbouring town and parish councils.

As a consequence, the membership of the steering group will possibly develop to reflect the plan area. This might include working in collaboration with neighbouring parish and town councils. For example if the proposed neighbourhood area covers more than one parish, then consent must be sought from each of the affected parish and town councils. This will also have implications for representation on the steering group and the scale of community engagement that the process will require.

The steering group should liaise closely with the 'link officer' when defining an appropriate neighbourhood area. The lead qualifying body will then need to submit an application to Wiltshire Council. The link officer will be able to provide the qualifying body with a neighbourhood area designation application form.

## 6. Submit your application

Application must include:

1. a map which identifies the neighbourhood area
2. a statement which considers why this area is considered appropriate to be designated as a neighbourhood area
3. a statement that the application is made by either a parish or town council or a neighbourhood forum.

### ✓ Key stages

#### Qualifying body role

Administer and manage steering group

Submit neighbourhood area application to Wiltshire Council

#### Steering group role

Consider the most suitable neighbourhood area

Validate steering group membership against proposed neighbourhood area

#### Wiltshire Council role

Provide advice and support

Validate neighbourhood area application

## ✓ Key stages

### Qualifying body role

Administer and manage steering group

Steering group role  
Develop draft plan / order

### Wiltshire Council role

Provide advice and support

Notify qualifying body of designation outcome

Publicise neighbourhood area

## 7. Six week period of consultation

Wiltshire Council will publicise the application on its website and in such a manner as is considered likely to bring the application to the attention of people who live, work and undertake business to which the area application relates.

At this stage the information submitted to support the neighbourhood area application will be made publicly available for comment for a period of not less than six weeks.

The application will then be considered alongside any representations made to the neighbourhood area. The qualifying body will be notified of the outcome and the decision will be published on the council's website.

# Stage 2: Delivery

The delivery stage involves implementing the actions identified in the scoping stage. If a neighbourhood development plan has been identified as the most efficient and cost-effective way to address the objectives identified. This should be prepared in accordance with the appropriate legislation and regulations.

The following summarises the anticipated approach which steering groups will take to develop neighbourhood plans in Wiltshire.

## 8. Develop your draft plan

Although there are no set guidelines for what a neighbourhood plan should contain it is likely that a plan will contain a series of policies, associated explanatory text and maps which detail the policies and proposals. The policies must be linked to the development and use of land. Your neighbourhood plan might:

- identify areas of land for housing and/or economic development in accordance with the Wiltshire Core Strategy
- outline specific requirements for development including characteristics such as design and density
- include distinct local policies to help meet the specific issues and challenges identified through the scoping exercise.

Policies and proposals contained within a neighbourhood plan should be realistic and achievable. They must also follow some ground rules including:

- generally conforming with local and national planning policies
- being in line with other laws including various EU Directives, namely Environmental Impact Assessment/Strategic Environmental Assessment/ Water Framework Directive/Habitats Directive.

Your link officer will be able to advise the steering group on general conformity and meeting legislative requirements.

### Community engagement

Before consulting formally on your neighbourhood plan the steering group should consider the benefits of engaging with the local community before undertaking formal consultation required by the regulations. This will help build consensus with the local community...

There are many effective ways to seek community input and endorsement. The steering group might want to consider various options including:

- running a series of public exhibitions
- meeting with community groups
- undertaking online consultation
- using established networks and newsletters to publicise activities.

### 9. Six week period of consultation

At this stage the lead qualifying body must publicise the draft plan in a manner which is considered likely to bring the plan to the attention of people who live, work and undertake business in the neighbouring area.

This qualifying body must provide and publicise:

- the neighbourhood development plan
- details of where and when the plan can be inspected
- details of how to make representations on the plan
- the date by which representations must be received, allowing not less than six weeks.

### ✓ Key stages

#### Qualifying body role

Administer and manage steering group

Publicise draft plan

#### Steering group role

Consider conformity with national and local planning policy

Consider Environmental and sustainability requirements

Undertake wider community engagement on draft proposals

#### Wiltshire Council role

Provide advice on general conformity with local and national policies and evidence requirements

## ✓ Key stages

### Qualifying body role

Submit the draft plan to relevant statutory consultees

Submit draft plan to Wiltshire Council

### Steering group role

Provide details of how to respond to the plan

Process and collate representations made against the draft plan

Review the plan in light of representations made

### Wiltshire Council role

Provide advice and support

**If your plan needs strategic environmental assessment, or has other legislative requirements, this should also be made available for consultation at this stage.**

You will need to provide details of how to respond to the draft plan and how to make representations on it. This should include a 'representation form' for people to submit their comments on. The steering group could also consider making this available online.

You will also need to consider if your plan will affect any of the 'statutory consultees' listed within the draft Neighbour Plan regulations. You will need to consult those who may be affected and also to submit the plan to Wiltshire Council.

The minimum period of consultation at this stage is six weeks. However, the steering group may decide to extend this period.

When you submit your plan for independent examination you will need to provide the responses made on the draft plan and detail what changes have made in light of the representations made. As a result it is important that the steering group prepare for, and organise, this stage of the process carefully.

## 10. Finalise and submit your plan to Wiltshire Council

At this stage the steering group should review the consultation responses and make any necessary changes to the plan.

It is likely that the independent examiner will want to review the representations made and see how you have addressed these issues and concerns. The steering group should, therefore, consider how to present this information in an accessible form which can be distributed easily and made publicly available.

Once you are ready to submit the plan you must include the following with your submission to Wiltshire Council.

The qualifying body must submit:

- a map or statement which identifies the area to which the proposed neighbourhood development plan relates.
- a consultation statement which:
  - contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan
  - explains how they were consulted
  - summarises the main issues and concerns raised by the persons consulted
  - describes how these issues and concerns have been addressed in the proposed neighbourhood plan.
- the proposed neighbourhood development plan
- a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990.

### 11. Six week period of consultation

Wiltshire Council will validate your submission and verify it with the qualifying body.

As soon as possible after receiving the proposed neighbourhood development plan (including all of the documents referred to in stage 10) Wiltshire Council will publicise on its website the proposal for consultation - for a period being not less than six weeks. Any representations made during this period will be passed to the independent examiner.

### 12. Independent examination

Once the consultation period has ended and the council has collated all of the representations made to the plan an independent examination will be arranged.

The examiner will be appointed by Wiltshire Council in agreement with the parish or town council(s).

The examination process is described as being 'light touch' and it is, therefore, likely to be a written exercise, although the examiner can decide to hold a public hearing.

## ✓ Key stages

### Qualifying body role

Verify submission requirements

Agree the appointment of an independent examiner with Wiltshire Council

### Steering group role

Aid qualifying body with submission requirements

### Wiltshire Council role

Validate submission and notify qualifying body

Publicise the proposal

Arrange for independent examination

## ✓ Key stages

### Qualifying body role

Liaise with Wiltshire Council over the examination arrangements

### Steering group role

Support the qualifying body with the examination

### Wiltshire Council role

Advise the qualifying body of the examination outcome

The independent examiner will assess:

- the plan against national policy
- whether the plan is in general conformity with policies in the Wiltshire Local Plan
- whether the plan is compatible with EU obligations and the proposal is consistent with the convention for human rights
- the geographical extent of the referendum.

The examiner will also consider any representations made to the plan and how these issues and concerns have been addressed.

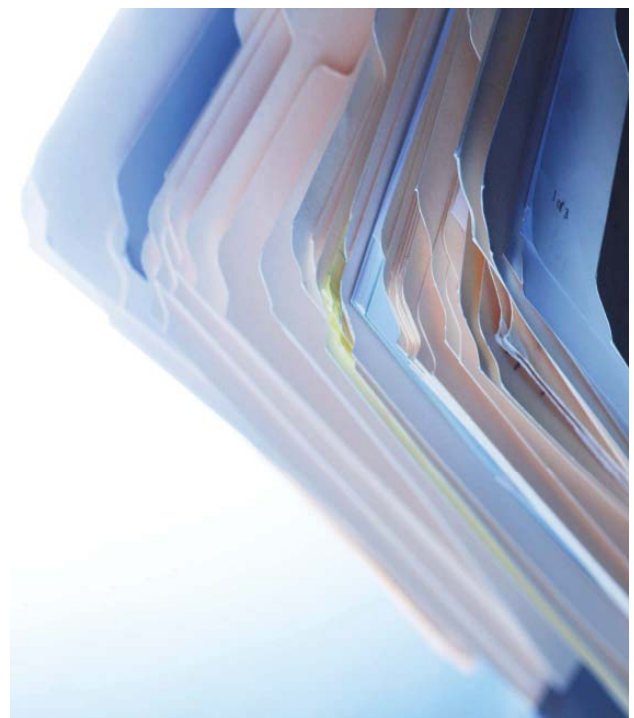
The examiner may recommend changes to the plan or order. If significant changes are suggested you may need to re-consult your community to endorse these changes.

If the independent examiner recommends that a referendum is held, the council must hold a referendum. However, the examiner may also recommend that your plan does not proceed to referendum if the plan is not aligned with:

- the strategic elements of the local development plan
- legal requirements
- national policy.

Wiltshire Council will notify the qualifying body whether a community referendum will be held or not in light of the independent report.

**The examiner may recommend changes to the plan or order.**





### 13. Community referendum

If the examiner has recommended that the neighbourhood plan should proceed to referendum, and any necessary changes have been made based upon his/her findings, Wiltshire Council will arrange for a community referendum.

Individuals will be eligible to vote if they are on the electoral role for the plan area. If the proposals affect a wider area the referendum will be reflective of the areas concerned.

Where more than 50% vote in favour, Wiltshire Council will have a duty to make the plan or order.

#### Make the plan

If the referendum has been positive, with more than 50% of those who vote in favour of the plan, Wiltshire Council will make the plan.

Wiltshire Council will publish the plan on its website and provide details of where the plan can be viewed. The neighbourhood plan will also need to be made available at council offices for members of the public to view.

#### ✓ Key stages

##### Qualifying body role

Liaise with Wiltshire Council with regards to the referendum arrangements

##### Steering group role

Support the qualifying body

##### Wiltshire Council role

Arrange the community referendum   
Make the plan

A simple majority vote is needed.



# Where can we get further information and advice?

Organisations have been awarded money to help support neighbourhood planning, including:

## **Prince's Foundation**

Established in 1998 by HRH The Prince of Wales and governed by a group of independent trustees, the Prince's Trust is an educational charity which promotes the development and improvement of sustainable urban environments that involve community engagement in their development.  
[www.princes-foundation.org](http://www.princes-foundation.org)

## **Locality**

Locality runs a wide range of projects supporting members to create community-led change and local regeneration in their neighbourhoods.  
[www.locality.org.uk](http://www.locality.org.uk)

## **The Royal Town Planning Institute**

The RTPI planning aid service provides free, independent, impartial, professional planning advice to people who do not have the means to pay professional fees. It offers support and training to local communities to influence and contribute to planning strategy, policy and decision-making.  
[www.rtpi.org.uk](http://www.rtpi.org.uk)

## **National Association of Local Councils in partnership with the Campaign to Protect Rural England**

As well as providing basic information about the planning system via a national website, a phone line and targeted publications, the grant will fund a programme of local events which will help inform local communities and parish councillors about how to influence local plans.

[www.nalc.gov.uk](http://www.nalc.gov.uk) - [www.cpre.org.uk](http://www.cpre.org.uk)

The Department for Communities and Local Government website contains a number of key documents and information - [www.communities.gov.uk](http://www.communities.gov.uk)

You can also find out more information on the Wiltshire Council website - [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

# Glossary

Area Action Plan (AAP)	A type of local plan focused on a specific location, which is subject to conservation, or significant change.
Community Plan	Community plans are produced through collaboration between local residents and representatives of public, voluntary and private sector organisations and businesses. Community plans seek to influence and inform public bodies, organisations and other service providers about the priorities for people in the plan area.
Core Strategy	A plan setting out the spatial vision and strategic objectives of the planning framework for an area.
Design Guide	A document providing guidance on how development can be carried out in accordance with good design practice often produced by a local authority with a view to retaining local distinctiveness.
Development Brief	A document to guide the development of a particular site, usually prepared by a local planning authority. It identifies the characteristics and constraints of the site, details relevant planning policy considerations and advises on appropriate land uses. The site is usually one which has previously been allocated for development in either a local plan or LDF. Also known as a 'Planning Brief'.
Habitats Regulation Assessment	This is a requirement for plans that are likely to lead to significant effects on European sites of nature conservation importance.
Link Officer	Neighbourhood plan steering groups will be appointed a 'link officer' to act as an informal member to give guidance and support.
Local Development Framework (LDF)	The Local Development Framework (LDF) is the name given to the system of development plans introduced by the Planning and Compulsory Purchase Act 2004.
Local Planning Authority	A local planning authority is the local authority or council that is empowered by law to exercise statutory town planning functions for a particular area of the United Kingdom.

Localism Act	<p>The Localism Act includes five key measures that underpin the government’s approach to decentralisation.</p> <ul style="list-style-type: none"> <li>• Community rights</li> <li>• Neighbourhood planning</li> <li>• Housing</li> <li>• General power of competence</li> <li>• Empowering cities and other local areas</li> </ul> <p>The full act can be viewed online at: <a href="http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted">http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted</a></p>
Master Plan	<p>A master plan usually comprises of text and images describing how an area will be developed. Its scope can range from large development sites to small scale groups of buildings. Most commonly, it is a plan that describes and maps an overall development concept, including present and future land use, urban design and landscaping, built form, infrastructure, circulation and service provision. It is based upon an understanding of place and it is intended to provide a structured approach to creating a clear and consistent framework for development.</p>
National Planning Policy Framework (NPPF)	<p>The National Planning Policy Framework was published for consultation. This is a key part of our reforms to make the planning system less complex and more accessible, and to promote sustainable growth.</p> <p>Please find below the consultation draft of the National Planning Policy Framework. You will also find a link to the associated draft Impact Assessment, and a link to the consultation document. The consultation closed on 17 October 2011.</p>
National Planning Policy Statements and Guidance Notes	<p>Planning Policy Guidance notes, and their replacements Planning Policy Statements, are prepared by the government after public consultation to explain statutory provisions and provide guidance to local authorities and others on planning policy and the operation of the planning system.</p> <p>The majority of planning policy statements and guidance notes have been superseded by the national planning policy framework.</p>
Neighbourhood Area	<p>A neighbourhood area has to be formally designated for neighbourhood plan or order to be produced. See page 15.</p>

Neighbourhood Planning Front Runners	Over 200 Front Runner projects have been established by the government to help local communities, local authorities and the government gain insight into how neighbourhood planning is working in practice. Under this scheme, a grant of up to £20,000 has been made available towards the cost of each project.
Neighbourhood Plans	New type of plans introduced by the Localism Act. They will be prepared by town/parish councils, or constituted Neighbourhood Forums, and develop detailed planning policies for a town/parish (or part of them) in general conformity with the council's Local Plan or LDF.
Planning Advisory Service	The Planning Advisory Service helps councils provide faster, fairer, more efficient and better quality planning services. See <a href="http://www.pas.gov.uk">www.pas.gov.uk</a>
Regional Strategies	A regional level planning framework for the regions of England, outside London where spatial planning is the responsibility of the Mayor. They were introduced in 2004. Their revocation was announced by the Conservative/Liberal Democrat coalition government on 6 July 2010.
Statement of Community Involvement	A document setting out how the authority will consult and involve the public at every stage in the production of the Local Development Framework.
Statutory Consultees	Statutory consultees for the purposes of neighbourhood planning are defined within the Neighbourhood Planning (General) Regulations 2012.
Strategic Environmental Assessment	An assessment of certain plans and policies on the environment.
Sustainability Appraisal	An appraisal of the impacts of policies and proposals on economic, social and environmental issues.
Sustainability Appraisal (including Environmental Appraisal)	An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development. (Environmental appraisal covers only environmental impacts)
Town and Country Planning Act 1990	The Town and Country Planning Act 1990 is an act of the British Parliament regulating the development of land in England and Wales.
Village Design Statement	A Village or Town Design Statement [VDS] is a practical tool to help influence decisions on design and development. Prepared correctly, a VDS will provide a clear statement of the character of a particular village or town against which planning applications may be assessed.

# Frequently asked questions

The frequently asked questions listed below seek to answer some of the most commonly raised questions regarding neighbourhood planning and provide a snap shot of the information presented within this guide.

If you have a question regarding neighbourhood planning in Wiltshire please email [neighbourhood.planning@wiltshire.gov.uk](mailto:neighbourhood.planning@wiltshire.gov.uk).

## 1. What is neighbourhood planning?

Neighbourhood planning is a new way for communities to decide the future of the places where they live and work. The Localism Act introduces new permissive rights for local communities to prepare a neighbourhood plan, instigate neighbourhood development orders and exercise a community right to build.

## 2. Is neighbourhood planning compulsory?

Neighbourhood planning is optional not compulsory. Alternative options include development briefs, village design statements and community plans. Deciding if you need a neighbourhood plan is one of the most important steps of the process.

## 3. Who will lead on neighbourhood planning in Wiltshire?

Neighbourhood plans can only be prepared by a 'qualifying body'. In areas where a parish or town council exists, these are the nominated qualifying body. Outside these areas, neighbourhood planning can be undertaken by a designated 'neighbourhood forum'.

## 4. How will development be managed if we don't have a neighbourhood plan?

The Development Plan for Wiltshire sets the over-arching policy framework for our area. The Development Plan encapsulates a suite of documents – such as the Wiltshire Core Strategy; as well as the 'saved' policies of the former District Local Plans. In accordance with new national policy and planning regulations, documents such as the Wiltshire Core Strategy are now called "Local Plans". In overall terms, the Development Plan will remain the key tool and the starting point for determining development proposals.

## **5. What is the role of Wiltshire Council?**

Wiltshire Council has a number of roles to undertake in order to fulfil its duty to support. These include:

- confirming the geographical area of proposed neighbourhood plans
- providing expertise and advice to parish and town councils
- hold referendums
- adopt neighbourhood plans where all legal requirements have been met .

## **6. What is the relationship between the neighbourhood plan and local plans?**

Neighbourhood plans must be in general conformity with adopted local plans – such as the Wiltshire Core Strategy. It is important that communities work closely with Wiltshire Council when developing neighbourhood plans. Wiltshire Council will take an active role in advising and supporting local communities in their plan preparation by sharing evidence, information and ensuring the neighbourhood plan fits with the strategic policies of the Wiltshire Core Strategy and national policy.

## **7. What should a neighbourhood plan look like?**

There are no set guidelines which describe what a neighbourhood plan should contain or look like. However, as set out above, neighbourhood plans must conform with adopted local plans – such as the Wiltshire Core Strategy. The content of a neighbourhood plan is likely to contain a series of explanatory text, policies and maps.

## **8. How much work is involved in creating a neighbourhood plan?**

The amount of work will be largely dependent on the content and scope of the plan. For example the neighbourhood plan could focus on a single issue such as identifying development sites in line with the core strategy. However, preparing a neighbourhood plan is likely to take a considerable amount of time and effort.

## **9. Who will pay for neighbourhood planning?**

The cost of neighbourhood planning will generally be met by the parish and town councils who develop plans. Wiltshire Council will meet part of the cost in carrying out their statutory duties to support the process (see diagram for stages of the process where Wiltshire Council has a role). The Government has identified some financial support through the neighbourhood planning front runners scheme.







This document was published by the Spatial Plans team, Wiltshire Council, Economy and Regeneration.

