



INFORMATION NOTES ON NEIGHBOURHOOD PLANNING

NOTE NUMBER 1: Neighbourhood Plans – An Introduction for Lewisham Residents

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Purpose of this note

This note provides a introduction to the new level of plan making the Neighbourhood Plan.

What are Neighbourhood Plans?

The coalition government have an agenda to modernize, update and simplify the English planning system. Part of these proposals are included in the Localism Act which received Royal assent in November 2011. The Act sets out permissive powers which allow local communities to influence the planning of their area by preparing Neighbourhood Plans and Development Orders. The relevant part of the Act came into effect in April 2012.

Neighbourhood Plans are led by local people who set out how they want their local area to develop. Local people set out the vision and planning policies for their own neighbourhood. They are about local issues rather than strategic planning issues. They must take account of national planning rules and be in 'general conformity' with the existing adopted planning framework for Lewisham. The governments aim is that they will promote development, they are not about attempts to stop development.

The government have not specified the content of the Neighbourhood Plan but rather left that up to the local community to decide. Early contact with the planning service is encouraged, see contacts at end of this note.

Who can prepare them?

In London, where there are no parish councils, Neighbourhood Plans will mostly be prepared by a legally constituted Neighbourhood Forum. The Act specifies that a minimum of 21 people can form a Forum and they must live in the neighbourhood area proposed. The idea is that the Forum should be as inclusive and representative of the area as possible. Information Note Number 2 gives more information about the process for establishing a Neighbourhood Forum.

The Neighbourhood Plan will if adopted become part of the development plan for Lewisham and as such will be used to assess planning applications in the area. However, the Plan will need to pass an independent examination and be supported by a majority of people living in

the area who will vote on it in a referendum.

What area can be designated as a neighbourhood?

Any area can have a Neighbourhood Plan no rules have been set. They can cross over local authority boundaries although if they do so each local planning authority will have to agree the designated area, so it will be potentially more complicated. The Act does specify that Neighbourhood Areas cannot overlap so discussion and consultation with others on the exact boundary will be necessary.

The Neighbourhood Forum that makes the application to define a Neighbourhood Area must include a map that shows the proposed area and include a statement that explains why the area is considered appropriate. The Council will have to decide if the area is appropriate. The Planning Service will provide assistance on designating a neighbourhood area if asked to do so.

What Status will a neighbourhood plan have?

When the Plan has been through all the stages of preparation, examination, and a successful referendum, the Council must adopt the Plan as a statutory planning document and it will become part of the development plan for the borough. The development plan currently consists of the London Plan 2011; the Core Strategy 2011 and the saved policies from the Unitary Development Plan 2004. Under planning law the development plan is the primary consideration when considering planning applications.

What role does the Council have?

In the Localism Act, local authorities like Lewisham Council have been given the responsibility of designating a Neighbourhood Area but only when a Neighbourhood Forum submits an application for designation.

In determining the application Lewisham must ensure that Neighbourhood Areas do not overlap. As only one Neighbourhood Area can be designated it is important that those affected agree the area proposed. The Act requires Lewisham to agree or not that the proposed area is an appropriate area. If it does not agree it must give its reasons why. The Planning Service can advise on an appropriate area if approached by a neighbourhood group. The Act also gives Lewisham Council powers to modify designations already made. The council must give publicity to an application for a Neighbourhood Area; details of how this duty is to be undertaken are set out in the 'Town and Country Planning, England, Neighbourhood Planning (general) Regulations 2012'.

The council are also responsible for organising the independent examination into the Neighbourhood Plan and the local referendum. The person appointed to hold the examination must be agreed with the Neighbourhood Forum. If more than half of those voting in the referendum vote in favour of the Plan the council must adopt it.

The council has a duty under the Act to provide advice and assistance to a Neighbourhood Forum preparing a Neighbourhood Plan. The Act is clear that this does not imply any financial assistance.

The council is responsible for designating a body as a Neighbourhood Forum after an application has been received, and it must satisfy itself that the proposed forum is

constituted to promote the social, economic and environmental well being of individuals or business living or working in the area and that membership is open to those who live or work in the area. The Planning Service can advise on constitutional issues if approached by a neighbourhood group.

Summary of Neighbourhood Plan process

The diagram below summarises the steps for a Neighbourhood Forum to take in preparing a Neighbourhood Plan and what the corresponding role of the local planning authority will be.

Please see the My Community Rights website for full guidance: <http://mycommunityrights.org.uk/neighbourhood-planning/>

Neighbourhood Forum process for Neighbourhood Plan	Lewisham Council's Role
Step 1: community group submits application for designation of Neighbourhood Area	Receive, publicise, and determine application. Designate Neighbourhood Area.
Step 2: community group submits application for designation of Neighbourhood Forum	Receive, publicise, and determine application. Designate Neighbourhood Forum.
Step 3: Neighbourhood Forum undertakes community engagement, and produces draft Neighbourhood Plan	Duty to provide advice and assistance.
Step 4: Neighbourhood Forum undertakes consultation on proposed Neighbourhood Plan	Duty to provide advice and assistance.
Step 5: Neighbourhood Plan submitted to Council	Arrange and fund independent examination.
Step 6: Plan goes for a local referendum	Lewisham will arrange and fund local referendum.
Step 7: Plan adopted by Council	If more than 50% of those voting agree the plan the Council has a legal duty to adopt it as part of the Development Plan.

Things you should consider if you have an interest in Neighbourhood Plans

Aims for the Neighbourhood Plan

- What do you want your neighbourhood plan to achieve?
- Do you intend to promote growth?
- Does the Council already have planning policies to deal with your issues?
- Can you influence the planning policies the council is promoting to achieve the same aims?
- Is a neighbourhood plan the right tool to achieve what you want?
- What area do you think your plan should cover? What is the boundary?

Setting up a Neighbourhood Forum & Designating your neighbourhood area

- Which communities are affected by the proposed area and have you consulted them?
- Who will be in the neighbourhood forum? Are they representative of the neighbourhood?
- How can you make the neighbourhood forum representative of the local community?
- Do you intend to involve local businesses, local councillors or community groups from neighbouring areas?
- How will you engage the wider community while preparing your plan?
- How will you build consensus within the community?
- Are there other groups or areas nearby who have similar objectives and have you made contact with them?

Preparing a Neighbourhood Plan

- What type of evidence will you need to collect to support your plan?
- Will neighbouring areas be affected by the neighbourhood plan? If so, how?
- What sort of skills and support will you need to prepare a neighbourhood plan?
- Will your plan require a Sustainability Appraisal? Will it require a Strategic Environmental Assessment?
- How long do you think the plan will take to prepare? What are your timescales?
- Do you have the resources to prepare a plan?

Support and funding

The council does not offer any funding for Neighbourhood Plans, however direct support and grant payments are available from external organisations to help communities prepare Neighbourhood Plans.

Please refer to the My Community Rights website for further information on direct support and grant payments: <http://mycommunityrights.org.uk/neighbourhood-planning/>.

Please note that the process for applying for direct support and grants is separate from the council's role in neighbourhood planning – the council will not be able to help you with these issues.

Further information and contacts

Further information regarding the neighbourhood planning process can be found on the Department for Communities and Local Government website: <https://www.gov.uk/neighbourhood-planning>

Extensive guidance, help, support, and financial assistance can be found through the My Community Rights website: <http://mycommunityrights.org.uk/neighbourhood-planning/>

If you would like more information from the Lewisham Planning Service please contact:

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